

**EIGHTY-SIXTH GENERAL ASSEMBLY
2015 REGULAR SESSION
DAILY
HOUSE CLIP SHEET**

APRIL 30, 2015

HOUSE FILE 650

H-1254

1 Amend House File 650 as follows:
2 1. By striking page 3, line 34, through page 4,
3 line 7, and inserting: <Not more than 10 percent
4 of the moneys appropriated each fiscal year in
5 this lettered paragraph may be used for costs of
6 administration and implementation of the agriculture
7 drainage well water quality assistance program
8 administered by the soil conservation division.>
9 2. Page 4, line 19, after <responsibility> by
10 inserting <for costs associated with the renovation and
11 maintenance of facility infrastructure at facilities
12 located>
13 3. Page 4, by striking lines 21 and 22 and
14 inserting <decennial census:>
15 4. Page 7, line 24, after <multi-use> by inserting
16 <recreational>
17 5. Page 7, line 31, after <multi-purpose> by
18 inserting <recreational>

By HUSEMAN of Cherokee

H-1254 FILED APRIL 29, 2015

HOUSE FILE 650

H-1255

1 Amend House File 650 as follows:
2 1. Page 8, after line 24 by inserting:
3 <Moneys deposited each fiscal year in the railroad
4 revolving loan and grant fund as provided in this
5 lettered paragraph may be expended from the fund for
6 railroad-related safety improvements.>

By T. TAYLOR of Linn

H-1255 FILED APRIL 29, 2015

HOUSE FILE 650

H-1257

1 Amend House File 650 as follows:
2 1. Page 6, by striking lines 28 and 29 and
3 inserting:
4 <b. For improvement projects for Iowa national
5 guard installations and readiness centers to support
6 operations and training requirements:>
7 2. By renumbering as necessary.

By HIGHFILL of Polk

H-1257 FILED APRIL 29, 2015

HOUSE FILE 650

H-1258

1 Amend House File 650 as follows:

2 1. Page 1, after line 33 by inserting:

3 <(c) The moneys appropriated in this lettered
4 paragraph may be used, upon adoption of plans approved
5 by the water resources coordinating council established
6 pursuant to section 466B.3, to provide for the
7 installation, operation, and maintenance of verified
8 best management practices to effectively reduce nitrate
9 and phosphorous loads in priority watersheds identified
10 by the water resources coordinating council.

11 (d) As a condition of receiving an appropriation
12 under this lettered paragraph, the department of
13 agriculture and land stewardship shall ensure that
14 goals are established for reducing nitrate and
15 phosphorous loads in priority watersheds following
16 the recommendations of the Mississippi river, gulf of
17 Mexico watershed nutrient task force, shall identify
18 a series of two-year benchmarks sufficient to achieve
19 those goals, and shall submit a report to the general
20 assembly by December 1, 2015, including the goals and
21 benchmarks established.>

22 2. Page 2, line 16, after <basis> by inserting
23 <with participants identified through an auction
24 process>

25 3. Page 2, line 21, after <used> by inserting <to
26 achieve verified improvements in water quality and>

27 4. Page 2, line 30, after <practices> by inserting
28 <and their verified efficiency in improving water
29 quality>

30 5. Page 3, line 1, by striking <implement> and
31 inserting <implement, operate, and maintain>

32 6. Page 3, line 2, after <practices> by inserting
33 <verified for their efficiency in improving water
34 quality>

35 7. Page 3, line 14, by striking <161A> and
36 inserting <161A, with participants identified through
37 an auction process as determined by the department>

38 8. Page 3, line 20, by striking <source> and
39 inserting <source, with participants identified through
40 an auction process as determined by the department>

41 9. Page 3, line 24, after <division.> by inserting
42 <Of the moneys appropriated that may be used for
43 costs of administration and implementation for the
44 fiscal year beginning July 1, 2015, \$50,000 shall be
45 allocated and awarded as a grant to the Iowa league of
46 cities pursuant to a contract with the Iowa league of
47 cities to support the development of a demonstration
48 project for nutrient trading or offset in one or
49 more watersheds of the state involving at least one
50 nonpoint source of nitrate pollution and at least one

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Page 2

1 point source of nitrate pollution, subject to permit
2 requirements under the national pollutant discharge
3 elimination system.>

4 10. By renumbering as necessary.

By ISENHART of Dubuque

H-1258 FILED APRIL 29, 2015

HOUSE FILE 650

H-1262

1 Amend House File 650 as follows:

2 1. Page 5, by striking lines 19 through 27 and
3 inserting:

4 <b. For a grant to be awarded on a competitive
5 basis by the mental health and disability services
6 commission to an organization specializing in
7 brain injuries or intellectual disabilities for
8 infrastructure costs of the organization relating to
9 the treatment and care of persons with a brain injury
10 or intellectual disability:>

11 2. By renumbering as necessary.

By MASCHER of Johnson

H-1262 FILED APRIL 29, 2015

HOUSE FILE 650

H-1264

1 Amend the amendment, H-1258, to House File 650 as
2 follows:

3 1. Page 1, by striking lines 2 through 40.

By ISENHART of Dubuque

H-1264 FILED APRIL 29, 2015

HOUSE FILE 534

H-1256

1 Amend the Senate amendment, H-1213, to House File
2 534, as amended, passed, and reprinted by the House, as
3 follows:

4 1. Page 1, by striking lines 3 through 33 and
5 inserting:

6 <___. Page 1, line 10, by striking <psychiatric>
7 and inserting <psychiatrist>>

8 2. By renumbering as necessary.

By R. TAYLOR of Dallas

H-1256 FILED APRIL 29, 2015

**Senate Amendment to
HOUSE FILE 635**

H-1265

1 Amend House File 635, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 10, by striking lines 13 through 31.
4 2. Page 20, after line 4 by inserting:
5 <Sec. _____. Section 321.276, subsection 5, Code
6 2015, is amended by striking the subsection.>
7 3. Page 20, by striking lines 23 through 31 and
8 inserting:
9 <(1) (a) A Subject to subparagraph division (b),
10 a statement printed on it as follows: "Unauthorized
11 use of this placard as indicated in Iowa Code chapter
12 321L may result in a fine, invalidation of the placard,
13 or revocation of the right to use the placard. This
14 placard shall be displayed only when the vehicle is
15 parked in a persons with disabilities parking space or
16 in a parking space not designated as a persons with
17 disabilities parking space if a wheelchair parking cone
18 is used pursuant to Iowa Code section 321L.2A."
19 (b) After the department has issued the existing
20 supply of placards bearing the statement set forth in
21 subparagraph division (a), the statement printed on
22 each newly issued placard shall be as follows: "Remove
23 from mirror before operating vehicle.">
24 4. Page 22, after line 21 by inserting:
25 <Sec. _____. REDUCTION OF UNINSURED MOTORISTS
26 STUDY. The department of transportation shall
27 conduct a study with the goal of identifying the
28 most beneficial and cost-effective way to reduce the
29 number of uninsured persons operating motor vehicles
30 on the highways of this state. The department may
31 invite interested parties to participate in the study,
32 including but not limited to representatives from the
33 department of public safety, the insurance division of
34 the department of commerce, law enforcement agencies,
35 the private insurance community, and the general
36 public. On or before January 1, 2016, the department
37 shall submit a report to the governor and the general
38 assembly providing the department's findings and
39 recommendations, including any proposed legislation.>
40 5. Page 25, after line 5 by inserting:
41 <Sec. _____. Section 321.1A, Code 2015, is amended by
42 adding the following new subsection:
43 NEW SUBSECTION. 1A. a. For purposes of issuing
44 commercial learner's permits and commercial driver's
45 licenses under this chapter, there is a rebuttable
46 presumption that a natural person is a resident of this
47 state if all of the following conditions exist:
48 (1) The person is enrolled in a commercial driver's
49 license training program administered by an Iowa-based
50 motor carrier, or its subsidiary, designated by the

1 department as a third-party tester pursuant to section
2 321.187.

3 (2) The person is in the process of applying for
4 a commercial learner's permit for the purpose of
5 completing the training program.

6 (3) The person is residing in this state for the
7 duration of the training program.

8 b. This subsection shall not apply if such
9 application results in noncompliance with 49 C.F.R. pt.
10 384.>

11 6. By renumbering as necessary.

RECEIVED FROM THE SENATE

H-1265 FILED APRIL 29, 2015

HOUSE FILE 654

H-1263

1 Amend House File 654 as follows:

2 1. Page 8, after line 6 by inserting:

3 <DIVISION _____

4 REINVESTMENT DISTRICTS AND FLOOD MITIGATION

5 Sec. _____. Section 15J.4, subsection 3, paragraph a,
6 Code 2015, is amended to read as follows:

7 a. The municipality shall submit a copy of the
8 resolution, the proposed district plan, and all
9 accompanying materials adopted pursuant to this section
10 to the board for evaluation. The board shall not
11 approve a proposed district plan ~~or an amendment to an~~
12 ~~existing district's plan~~ on or after July 1, 2018.

13 Sec. _____. Section 28F.12, Code 2015, is amended to
14 read as follows:

15 28F.12 Additional powers of the entity.

16 1. If the entity is comprised solely of cities,
17 counties, and sanitary districts established under
18 chapter 358, or any combination thereof, the entity
19 shall have in addition to all the powers enumerated in
20 this chapter, the powers which that a county has with
21 respect to solid waste disposal projects.

22 2. If the entity is comprised solely of cities,
23 counties, and sanitary districts established under
24 chapter 358, or any combination thereof, it is a
25 governmental entity with respect to projects undertaken
26 pursuant to chapter 418 and may exercise all of the
27 powers of a governmental entity under that chapter in
28 connection with the flood mitigation project. Unless
29 otherwise provided in chapter 418, if undertaking a
30 flood mitigation project as a governmental entity
31 under chapter 418, the provisions of chapter 418 shall
32 prevail over any conflicting provision in this chapter.

33 Sec. _____. Section 418.1, subsection 4, paragraph c,
34 unnumbered paragraph 1, Code 2015, is amended to read
35 as follows:

36 A joint board or other legal or administrative
37 entity established or designated in an agreement
38 pursuant to chapter 28E or 28F between any of the
39 following:

40 Sec. _____. Section 418.1, subsection 4, paragraph
41 c, Code 2015, is amended by adding the following new
42 subparagraph:

43 NEW SUBPARAGRAPH. (4) One or more counties, one or
44 more cities that are located in whole or in part within
45 those counties, and one or more sanitary districts
46 established under chapter 358 or a combined water and
47 sanitary district as provided for in sections 357.1B
48 and 358.1B, located in whole or in part within those
49 counties.

50 Sec. _____. Section 418.4, subsection 1, paragraph b,

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1 Code 2015, is amended to read as follows:

2 b. A governmental entity as defined in section
3 418.1, subsection 4, paragraph "c", shall have the
4 power to construct, acquire, own, repair, improve,
5 operate, and maintain a project, may sue and be sued,
6 contract, and acquire and hold real and personal
7 property, subject to the limitation in paragraph
8 "c", and shall have such other powers as may be
9 included in the chapter 28E or 28F agreement. Such a
10 governmental entity may contract with a city or the
11 county participating in the ~~chapter 28E~~ agreement
12 to perform any governmental service, activity, or
13 undertaking that the city or county is authorized by
14 law to perform, including but not limited to contracts
15 for administrative services.

16 Sec. _____. Section 418.11, subsection 3, paragraph
17 c, Code 2015, is amended to read as follows:

18 c. For projects approved for a governmental
19 entity as defined in section 418.1, subsection 4,
20 paragraph "c", the area used to determine the sales
21 tax increment shall include the incorporated areas
22 of each participating city ~~that is participating in~~
23 ~~the chapter 28E agreement~~, the unincorporated areas
24 of ~~the each~~ participating county, ~~and~~ the area of any
25 participating drainage district not otherwise included
26 in the areas of the participating cities or county, and
27 the area served by any sanitary district or combined
28 water and sanitary district and not otherwise included
29 in the areas of the participating cities or counties,
30 as applicable.

31 Sec. _____. Section 418.11, subsection 3, Code 2015,
32 is amended by adding the following new paragraph:

33 NEW PARAGRAPH. d. For all projects, the area used
34 to determine the sales tax increment shall not include
35 any parcels of real property that are included in a
36 reinvestment district designated pursuant to chapter
37 15J.

38 Sec. _____. Section 418.14, subsection 3, paragraph
39 a, Code 2015, is amended to read as follows:

40 a. Except as otherwise provided in this section,
41 bonds issued pursuant to this section shall not be
42 subject to the provisions of any other law or charter
43 relating to the authorization, issuance, or sale of
44 bonds. Bonds issued under this section shall not limit
45 or restrict the authority of a governmental entity as
46 defined in section 418.1, subsection 4, paragraphs
47 "a" and "b", or a city, county, ~~or~~ drainage district,
48 sanitary district, or combined water and sanitary
49 district participating in a governmental entity as
50 defined in section 418.1, subsection 4, paragraph "c",

1 to issue bonds for the project under other provisions
2 of the Code.

3 Sec. _____. Section 418.14, subsection 4, paragraph
4 b, Code 2015, is amended to read as follows:

5 b. If the moneys in the governmental entity's
6 flood project fund are insufficient to pay the
7 governmental entity's costs related to bonds, notes,
8 or other obligations issued under this chapter, the
9 amounts necessary to pay such costs may be levied and
10 transferred for deposit in the governmental entity's
11 flood project fund from the debt service fund of
12 the governmental entity or, if applicable, the debt
13 service fund of a participating city or county for
14 a governmental entity as defined in section 418.1,
15 subsection 4, paragraph "c", but only if and to the
16 extent provided in the resolution authorizing the
17 issuance of bonds and, if applicable, the chapter 28E
18 or 28F agreement.

19 Sec. _____. Section 418.15, subsection 4, Code 2015,
20 is amended to read as follows:

21 4. All property and improvements acquired by
22 a governmental entity as defined in section 418.1,
23 subsection 4, paragraph "c", relating to a project
24 shall be transferred to the county, city, ~~or~~ drainage
25 district, sanitary district, or combined water and
26 sanitary district designated in the chapter 28E or 28F
27 agreement to receive such property and improvements.
28 The county, city, ~~or~~ drainage district, sanitary
29 district, or combined water and sanitary district to
30 which such property or improvements are transferred
31 shall, unless otherwise provided in the chapter
32 28E or 28F agreement, be solely responsible for the
33 ongoing maintenance and support of such property and
34 improvements.

35 Sec. _____. Section 423.2, subsection 11, paragraph
36 b, Code 2015, is amended by adding the following new
37 subparagraph:

38 NEW SUBPARAGRAPH. (05) Beginning the first day
39 of the calendar quarter beginning on the reinvestment
40 district's commencement date, subject to remittance
41 limitations established by the economic development
42 authority board pursuant to section 15J.4, subsection
43 3, transfer to a district account created in the state
44 reinvestment district fund for each reinvestment
45 district established under chapter 15J, the amount of
46 new state sales tax revenue, determined in section
47 15J.5, subsection 1, paragraph "b", in the district,
48 that remains after the prior transfers required
49 under this paragraph "b". Such transfers shall cease
50 pursuant to section 15J.8.

1 Sec. _____. Section 423.2, subsection 11, paragraph
2 b, subparagraph (6), Code 2015, is amended by striking
3 the subparagraph.

4 Sec. _____. Section 423.2, Code 2015, is amended by
5 adding the following new subsection:

6 NEW SUBSECTION. 11A. Of the amount of sales tax
7 revenue actually transferred per quarter pursuant to
8 subsection 11, paragraph "b", subparagraphs (05) and
9 (5), the department shall retain an amount equal to
10 the actual cost of administering the transfers under
11 subsection 11, paragraph "b", subparagraphs (05) and
12 (5), or twenty-five thousand dollars, whichever is
13 less. The amount retained by the department pursuant
14 to this subsection shall be divided pro rata each
15 quarter between the amounts that would have been
16 transferred pursuant to subsection 11, paragraph "b",
17 subparagraphs (05) and (5), without the deduction made
18 by operation of this subsection. Revenues retained by
19 the department pursuant to this subsection shall be
20 considered repayment receipts as defined in section
21 8.2.

22 Sec. _____. EFFECTIVE UPON ENACTMENT. This division
23 of this Act, being deemed of immediate importance,
24 takes effect upon enactment.

25 Sec. _____. RETROACTIVE AND OTHER APPLICABILITY.

26 1. Except as provided in subsection 3, this
27 division of this Act applies retroactively to
28 reinvestment districts designated under chapter 15J in
29 existence on or after July 1, 2014.

30 2. Except as provided in subsection 3, this
31 division of this Act applies to flood mitigation
32 project plan applications received under chapter
33 418 before, on, or after the effective date of this
34 division of this Act.

35 3. The sections of this division of this Act
36 amending section 423.2, subsection 11, and enacting
37 section 423.2, subsection 11A, apply to transfers of
38 sales tax revenues made on or after July 1, 2015.

39 DIVISION _____

40 NUISANCE PROPERTIES AND ABANDONED BUILDINGS

41 Sec. _____. Section 15.335B, subsection 2, paragraph
42 a, Code 2015, is amended by adding the following new
43 subparagraph:

44 NEW SUBPARAGRAPH. (8) For deposit in the nuisance
45 property remediation fund created pursuant to section
46 15.338.

47 Sec. _____. NEW SECTION. 15.338 Nuisance property
48 remediation assistance ---- fund.

49 1. a. The economic development authority shall
50 establish a nuisance property remediation fund pursuant

1 to section 15.106A, subsection 1, paragraph "o",
2 for purposes of providing financial assistance to
3 cities for the remediation of nuisance properties
4 and abandoned buildings and other structures. The
5 authority shall administer the fund in a manner
6 designed to make funds annually available to cities for
7 purposes of this section.

8 b. The authority may administer a fund established
9 for purposes of this section as a revolving fund. The
10 fund may consist of any moneys appropriated by the
11 general assembly for purposes of this section and
12 any other moneys that are lawfully available to the
13 authority, including moneys transferred or deposited
14 from other funds created pursuant to section 15.106A,
15 subsection 1, paragraph "o".

16 c. The authority shall use any moneys specifically
17 appropriated for purposes of this section only for the
18 purposes of this section. The authority may use all
19 other moneys in the fund, including interest, earnings,
20 recaptures, and repayments for purposes of this section
21 or the authority may transfer the other moneys to other
22 funds created pursuant to section 15.106A, subsection
23 1, paragraph "o".

24 d. Notwithstanding section 8.33, moneys in the
25 nuisance property remediation fund at the end of each
26 fiscal year shall not revert to any other fund but
27 shall remain in the fund for expenditure for subsequent
28 fiscal years.

29 e. The authority may use not more than five percent
30 of the moneys in the fund at the beginning of the
31 fiscal year for purposes of administrative costs,
32 finance, compliance, marketing, and program support.

33 2. The authority shall use moneys in the fund
34 to provide financial assistance to cities for the
35 remediation of nuisance properties and abandoned
36 buildings and other structures. Such financial
37 assistance may include grants, loans, forgivable loans,
38 or other forms of financial assistance as necessary to
39 effectuate the purposes of this section. The authority
40 may provide financial assistance under this section
41 using a competitive scoring process.

42 3. In providing financial assistance under this
43 section, the authority may give priority to cities
44 with severe blighted areas, widespread dilapidated
45 housing stock, or high rates of low or moderate income
46 residents.

47 4. The authority shall enter into an agreement with
48 each city for the receipt of financial assistance under
49 this section. The authority may negotiate the terms
50 of the agreement.

1 5. In providing financial assistance under this
2 section, the authority shall coordinate with a city to
3 develop a plan for the use of funds that is consistent
4 with the community development, housing, and economic
5 development goals of the city. The terms of the
6 agreement entered into pursuant to subsection 3 and the
7 use of financial assistance provided under this section
8 shall reflect the plan developed based on a city's
9 goals.

10 6. If a city receives financial assistance under
11 this section, the amount of any lien created for
12 costs related to remediation of the property shall not
13 include any moneys that the city received pursuant to
14 this section to remediate the property.

15 7. The authority shall submit a report to the
16 general assembly and the governor's office on or
17 before January 31, 2019, describing the results of the
18 program implemented pursuant to this section and making
19 recommendations for additional program changes.

20 Sec. _____. Section 657A.1, subsections 1 and 3, Code
21 2015, are amended to read as follows:

22 1. "Abandoned" or "abandonment" means that a
23 building has remained vacant and has been in violation
24 of the housing code or building code of the city in
25 which the property is located or the housing code or
26 building code applicable in the county in which the
27 property is located if outside the limits of a city for
28 a period of six consecutive months.

29 3. "Building" means a building or structure located
30 in a city or outside the limits of a city in a county,
31 which is used or intended to be used for commercial
32 or industrial purposes or which is used or intended
33 to be used for residential purposes, and includes a
34 building or structure in which some floors may be used
35 for retail stores, shops, salesrooms, markets, or
36 similar commercial uses, or for offices, banks, civic
37 administration activities, professional services, or
38 similar business or civic uses, and other floors are
39 used, designed, or intended to be used for residential
40 purposes.

41 Sec. _____. Section 657A.10A, subsection 1, paragraph
42 b, Code 2015, is amended to read as follows:

43 b. The petition shall be filed in the district
44 court of the county in which the property is located.
45 Service on the owner and any other named respondents
46 shall be by personal service or certified mail and or,
47 if service cannot be made by either method, by posting
48 the notice in a conspicuous place on the building and
49 by publication in a newspaper of general circulation in
50 the city. The action shall be in equity.

1 Sec. _____. Section 657A.10A, subsection 3,
2 paragraphs d, f, and j, Code 2015, are amended to read
3 as follows:

4 d. Whether the building meets the city's housing
5 code ~~for~~ as being fit for human habitation, occupancy,
6 or use.

7 f. Whether the building is boarded up or otherwise
8 secured from unauthorized entry.

9 j. Past and current compliance with orders of the
10 local housing or building code official.

11 Sec. _____. Section 657A.10A, subsection 3,
12 Code 2015, is amended by adding the following new
13 paragraphs:

14 NEW PARAGRAPH. 0e. Whether the building meets the
15 city's building code as being fit for occupancy or use.

16 NEW PARAGRAPH. 0h. Whether those claiming an
17 interest in the property have, prior to the filing
18 of the petition, demonstrated a good-faith effort to
19 restore the property to productive use.

20 Sec. _____. Section 657A.10A, subsections 4 and 5,
21 Code 2015, are amended to read as follows:

22 4. In lieu of the considerations in subsection 3,
23 if the city can establish to the court's satisfaction
24 that all parties with an interest in the property have
25 received proper notice and either consented to the
26 entry of an order awarding title to the property to the
27 city or did not make a ~~good-faith~~ good-faith effort to
28 comply with the order of the local housing or building
29 code official within sixty days after the filing of the
30 petition, the court shall enter judgment against the
31 respondents granting the city title to the property.

32 5. If the court determines that the property has
33 been abandoned or that subsection 4 applies, the court
34 shall enter judgment and order awarding title to the
35 city. The title awarded to the city shall be free and
36 clear of any claims, liens, or encumbrances held by the
37 respondents.>

38 2. Title page, line 3, after <retroactive> by
39 inserting <and other>

40 3. By renumbering, redesignating, and correcting
41 internal references as necessary.

By MEYER of Polk

HOUSE FILE 659

H-1266

1 Amend House File 659 as follows:

2 1. Page 7, after line 33 by inserting:

3 <Sec. _____. APPROPRIATION ---- DEPARTMENT OF HUMAN
4 RIGHTS ---- INDIVIDUAL DEVELOPMENT ACCOUNT STATE MATCH
5 FUND. There is appropriated from the general fund of
6 the state to the department of human rights for the
7 fiscal year beginning July 1, 2015, and ending June 30,
8 2016, the following amount to be used for the purposes
9 designated:

10 For deposit in the individual development account
11 state match fund created in section 541A.7:

12 \$ 100,000

13 Sec. _____. TRANSFER ---- DEPARTMENT OF HUMAN RIGHTS ----

14 INDIVIDUAL DEVELOPMENT ACCOUNT STATE MATCH FUND. There
15 is transferred from the moneys appropriated to the
16 professional licensing and regulation bureau of the
17 department of commerce pursuant to section 546.10,
18 subsection 3, paragraph "b", to the department of human
19 rights for the fiscal year beginning July 1, 2015, and
20 ending June 30, 2016, the following amount to be used
21 for the purposes designated:

22 For deposit in the individual development account
23 state match fund created in section 541A.7:

24 \$ 100,000>

25 2. By renumbering as necessary.

By BROWN-POWERS of Black Hawk

H-1266 FILED APRIL 29, 2015

HOUSE FILE 659

H-1267

1 Amend House File 659 as follows:
2 1. Page 1, line 25, by striking <492,445> and
3 inserting <286,986>
4 2. Page 1, line 26, by striking <6.93> and
5 inserting <4.00>
6 3. Page 6, after line 33 by inserting:
7 1. GENERAL OFFICE>
8 4. Page 7, after line 3 by inserting:
9 <2. TERRACE HILL QUARTERS
10 For the governor's quarters at Terrace Hill, to
11 be expended for the purpose of employing a chef,
12 a personal assistant for the first lady, and a
13 housekeeper:
14 \$ 205,459
15 FTEs 2.93>
16 5. Page 16, line 23, by striking <246,223> and
17 inserting <143,493>
18 6. Page 16, line 24, by striking <6.93> and
19 inserting <4.00>
20 7. Page 21, after line 31 by inserting:
21 1. GENERAL OFFICE>
22 8. Page 22, after line 1 by inserting:
23 <2. TERRACE HILL QUARTERS
24 For the governor's quarters at Terrace Hill, to
25 be expended for the purpose of employing a chef,
26 a personal assistant for the first lady, and a
27 housekeeper:
28 \$ 102,730
29 FTEs 2.93>

By KELLEY of Jasper

H-1267 FILED APRIL 29, 2015

HOUSE FILE 659

H-1268

1 Amend House File 659 as follows:
2 1. Page 12, line 33, by striking <345,528> and
3 inserting <400,000>
4 2. Page 12, line 34, by striking <3.00> and
5 inserting <4.00>
6 3. Page 27, line 31, by striking <172,764> and
7 inserting <200,000>
8 4. Page 27, line 32, by striking <3.00> and
9 inserting <4.00>

By KELLEY of Jasper

H-1268 FILED APRIL 29, 2015

HOUSE FILE 659

H-1269

1 Amend House File 659 as follows:
2 1. Page 11, line 9, by striking <amount> and
3 inserting <amounts>
4 2. Page 11, line 16, by striking <6,114,211> and
5 inserting <6,194,499>
6 3. Page 11, line 17, by striking <72.75> and
7 inserting <73.75>
8 4. Page 11, by striking lines 18 through 27 and
9 inserting:
10 <2. For conducting a study on exchange wagering as
11 required by 2015 Iowa Acts, Senate File 438:
12 \$ 50,000>
13 5. Page 26, line 9, by striking <1. For> and
14 inserting <For>
15 6. Page 26, line 14, by striking <3,057,106> and
16 inserting <3,097,250>
17 7. Page 26, line 15, by striking <72.75> and
18 inserting <73.75>
19 8. Page 26, by striking lines 16 through 25.
20 9. By renumbering as necessary.

By LANDON of Polk

H-1269 FILED APRIL 29, 2015

HOUSE FILE 659

H-1271

1 Amend House File 659 as follows:

2 1. Page 31, after line 2 by inserting:

3 <DIVISION _____

4 HOTEL SANITATION CODE

5 Sec. _____. Section 137C.6, subsection 3, paragraph
6 b, Code 2015, is amended to read as follows:

7 b. The number of hotel licenses granted or renewed
8 during the year broken down into the following
9 categories:

10 (1) Hotels containing ~~fifteen~~ thirty guest rooms
11 or less.

12 (2) Hotels containing more than ~~fifteen~~ thirty but
13 less than ~~thirty-one~~ one hundred one guest rooms.

14 (3) Hotels containing more than ~~thirty but less~~
15 ~~than seventy-six~~ one hundred one guest rooms.

16 ~~—(4) Hotels containing more than seventy-five but~~
17 ~~less than one hundred fifty guest rooms.~~

18 ~~—(5) Hotels containing one hundred fifty or more~~
19 ~~guest rooms.~~

20 Sec. _____. Section 137C.7, Code 2015, is amended to
21 read as follows:

22 137C.7 License required.

23 ~~No~~ A person shall not open or operate a hotel until
24 the regulatory authority has inspected the hotel and
25 issued a license has been obtained from the regulatory
26 authority and until the hotel has been inspected by the
27 regulatory authority to the person. The regulatory
28 authority shall conduct inspections in accordance with
29 standards adopted by the department by rule pursuant
30 to chapter 17A. Each license shall expire one year
31 from the date of issue. A license is renewable. All
32 licenses issued under ~~the Iowa hotel sanitation code~~
33 this chapter that are not renewed by the licensee on
34 or before the expiration date shall be subject to a
35 penalty of ten percent of the license fee per month if
36 the license is renewed at a later date. A license is
37 not transferable.

38 Sec. _____. Section 137C.9, subsection 1, Code 2015,
39 is amended to read as follows:

40 1. Either the department or the municipal
41 corporation shall collect the following annual license
42 fees:

43 a. For a hotel containing ~~fifteen~~ thirty guest
44 rooms or less, ~~twenty-seven~~ fifty dollars.

45 b. For a hotel containing more than ~~fifteen~~ thirty
46 but less than ~~thirty-one~~ one hundred one guest rooms,
47 ~~forty dollars and fifty cents~~ one hundred dollars.

48 c. For a hotel containing more than ~~thirty but~~
49 ~~less than seventy-six~~ one hundred one guest rooms,
50 ~~fifty-four~~ one hundred fifty dollars.

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1 ~~d. For a hotel containing more than seventy-five~~
2 ~~but less than one hundred fifty guest rooms,~~
3 ~~fifty-seven dollars and fifty cents.~~

4 ~~e. For a hotel containing one hundred fifty or more~~
5 ~~guest rooms, one hundred one dollars and twenty-five~~
6 ~~cents.~~

7 Sec. _____. Section 137C.12, Code 2015, is amended to
8 read as follows:

9 137C.12 Inspection upon complaint.

10 Upon receipt of a ~~verified~~ complaint ~~signed by a~~
11 ~~guest of a hotel and~~ stating facts indicating the place
12 ~~is~~ premises of a hotel are in an ~~insanitary~~ unsanitary
13 condition, the regulatory authority shall conduct an
14 inspection.

15 DIVISION _____

16 HOME FOOD ESTABLISHMENTS

17 Sec. _____. Section 10A.104, subsection 12, Code
18 2015, is amended to read as follows:

19 12. Administer inspections and licensing of hotels
20 and home ~~food establishments~~ bakeries.

21 Sec. _____. Section 137D.1, subsections 3 and 4, Code
22 2015, are amended to read as follows:

23 3. ~~"Home food establishment"~~ "Home bakery" means
24 a business on the premises of a residence in which
25 prepared food is created for sale or resale, for
26 consumption off the premises, if the business has gross
27 annual sales of prepared food of less than twenty
28 thousand dollars. However, ~~a home food establishment~~
29 "home bakery" does not include a residence in which
30 food is prepared to be used or sold by churches,
31 fraternal societies, charitable organizations, or civic
32 organizations.

33 4. "Prepared food" means soft pies, bakery
34 products with a custard or cream filling, or ~~any~~
35 ~~other potentially hazardous~~ baked goods that are a
36 time/temperature control for safety food. "Prepared
37 food" does not ~~mean nonhazardous~~ include baked goods
38 that are not a time/temperature control for safety
39 food, including but not limited to breads, fruit pies,
40 cakes, or other ~~nonhazardous~~ pastries that are not a
41 time/temperature control for safety food.

42 Sec. _____. Section 137D.1, Code 2015, is amended by
43 adding the following new subsection:

44 NEW SUBSECTION. 5. "Time/temperature control
45 for safety food" means a food that requires time and
46 temperature controls for safety to limit pathogenic
47 microorganism growth or toxin formation.

48 Sec. _____. Section 137D.2, Code 2015, is amended to
49 read as follows:

50 137D.2 Licenses and inspections.

1 1. A person shall not open or operate a home ~~food~~
2 ~~establishment~~ bakery until a license has been obtained
3 from the department of inspections and appeals. The
4 department shall collect a fee of ~~thirty-three dollars~~
5 ~~and seventy-five cents~~ fifty dollars for a license.
6 After collection, the fees shall be deposited in the
7 general fund of the state. A license shall expire one
8 year from date of issue. A license is renewable.

9 2. A person shall not sell or distribute from
10 a home ~~food establishment~~ bakery if the home ~~food~~
11 ~~establishment~~ bakery is unlicensed, the license of the
12 home ~~food establishment~~ bakery is suspended, or the
13 food fails to meet standards adopted for such food by
14 the department.

15 3. An application for a license under this chapter
16 shall be made upon a form furnished by the department
17 and shall contain the items required by it according to
18 rules adopted by the department.

19 4. The department shall regulate, license, and
20 inspect home ~~food establishments~~ bakeries according to
21 standards adopted by rule.

22 5. The department shall provide for the periodic
23 inspection of a home ~~food establishment~~ bakery. The
24 inspector may enter the home ~~food establishment~~ bakery
25 at any reasonable hour to make the inspection. The
26 department shall inspect only those areas related to
27 preparing food for sale.

28 6. The department shall regulate and inspect food
29 prepared at a home ~~food establishment~~ bakery according
30 to standards adopted by rule. The inspection may
31 occur at any place where the prepared food is created,
32 transported, or stored for sale or resale.

33 Sec. _____. Section 137D.3, Code 2015, is amended to
34 read as follows:

35 137D.3 Penalty.

36 A person who violates a provision of this chapter,
37 including a standard adopted by departmental rule,
38 relating to home ~~food establishments~~ bakeries or
39 prepared foods created in a home ~~food establishment~~
40 bakery, is guilty of a simple misdemeanor. Each day
41 that the violation continues constitutes a separate
42 offense.

43 Sec. _____. Section 137D.4, Code 2015, is amended to
44 read as follows:

45 137D.4 Injunction.

46 A person operating a home ~~food establishment~~
47 bakery or selling prepared foods created at a home
48 ~~food establishment~~ bakery in violation of a provision
49 of this chapter may be restrained by injunction
50 from further operating that home ~~food establishment~~

1 bakery. If an imminent health hazard exists, the
2 home ~~food establishment~~ bakery must cease operation.
3 Operation shall not be resumed until authorized by the
4 department.

5 Sec. _____. Section 137D.6, Code 2015, is amended to
6 read as follows:

7 137D.6 Conflicts with state building code.

8 Provisions of this chapter, including standards
9 for home ~~food establishments~~ bakeries adopted by the
10 department, in conflict with the state building code,
11 as adopted pursuant to section 103A.7, shall not apply
12 where the state building code has been adopted or when
13 the state building code applies throughout the state.

14 Sec. _____. Section 137D.8, subsections 1 and 3, Code
15 2015, are amended to read as follows:

16 1. The person's home ~~food establishment~~ bakery does
17 not conform to a provision of this chapter or a rule
18 adopted pursuant to this chapter.

19 3. The person conducts an activity constituting a
20 criminal offense in the home ~~food establishment~~ bakery
21 and is convicted of a serious misdemeanor or a more
22 serious offense as a result.

23 Sec. _____. Section 137F.1, subsection 7, paragraph
24 d, Code 2015, is amended to read as follows:

25 d. Premises which are a home ~~food establishment~~
26 bakery pursuant to chapter 137D.

27 DIVISION _____

28 FOOD ESTABLISHMENTS AND FOOD PROCESSING PLANTS

29 Sec. _____. Section 137F.1, Code 2015, is amended by
30 adding the following new subsections:

31 NEW SUBSECTION. 4A. "Event" means a significant
32 occurrence or happening sponsored by a civic, business,
33 educational, governmental, community, or veterans
34 organization and may include an athletic contest.

35 NEW SUBSECTION. 15A. "Time/temperature control
36 for safety food" means a food that requires time and
37 temperature controls for safety to limit pathogenic
38 microorganism growth or toxin formation.

39 Sec. _____. Section 137F.1, subsection 7, unnumbered
40 paragraph 1, Code 2015, is amended to read as follows:

41 "Food establishment" means an operation that stores,
42 prepares, packages, serves, vends, or otherwise
43 provides food for human consumption and includes a
44 food service operation in a salvage or distressed food
45 operation, school, summer camp, residential service
46 substance abuse treatment facility, halfway house
47 substance abuse treatment facility, correctional
48 facility operated by the department of corrections, or
49 the state training school, ~~or the Iowa juvenile home~~.

50 "Food establishment" does not include the following:

1 Sec. _____. Section 137F.1, subsection 7, paragraphs
2 b, e, and f, Code 2015, are amended to read as follows:

3 b. An establishment that offers only prepackaged
4 foods that are ~~nonpotentially hazardous~~ not
5 time/temperature control for safety foods.

6 e. Premises where a person operates a
7 farmers market, if ~~potentially hazardous food is~~
8 time/temperature control for safety foods are not sold
9 or distributed from the premises.

10 f. Premises of a residence in which food that
11 is ~~nonpotentially hazardous~~ not a time/temperature
12 control for safety food is sold for consumption off
13 the premises to a consumer customer, if the food is
14 labeled to identify the name and address of the person
15 preparing the food and the common name of the food.

16 Sec. _____. Section 137F.1, subsections 11 and 12,
17 Code 2015, are amended by striking the subsections.

18 Sec. _____. Section 137F.1, subsections 13, 15, 16,
19 and 17, Code 2015, are amended to read as follows:

20 13. "Pushcart" means a non-self-propelled vehicle
21 food establishment limited to serving ~~nonpotentially~~
22 ~~hazardous foods~~ foods that are not time/temperature
23 control for safety foods or commissary-wrapped foods
24 maintained at proper temperatures, or limited to the
25 preparation and serving of frankfurters.

26 15. "Temporary food establishment" means a food
27 establishment that operates for a period of no more
28 than fourteen consecutive days in conjunction with a
29 single event ~~or celebration~~.

30 16. "Vending machine" means a ~~food establishment~~
31 ~~which is a~~ self-service device that, upon insertion
32 of a coin, paper currency, token, card, or key, or by
33 optional manual operation, dispenses unit servings of
34 food in bulk or in packages without the necessity of
35 replenishing the device between each vending operation.

36 17. "Vending machine location" means the ~~physical~~
37 ~~site~~ room, enclosure, space, or area where a one or
38 more vending machine ~~is~~ machines are installed and
39 operated, including the ~~storage and servicing~~ areas
40 on the premises that are used ~~in conjunction with to~~
41 service and maintain the vending machine.

42 Sec. _____. Section 137F.3, subsection 4, Code 2015,
43 is amended to read as follows:

44 4. A municipal corporation that is responsible for
45 enforcing this chapter within its jurisdiction pursuant
46 to an agreement shall ~~make an annual report to the~~
47 ~~director providing the following information:~~

48 a. ~~The total number of licenses granted or renewed~~
49 ~~by the municipal corporation under this chapter during~~
50 ~~the year.~~

1 ~~b. The number of licenses granted or renewed by the~~
2 ~~municipal corporation under this chapter during the~~
3 ~~year in each of the following categories:~~

- 4 ~~(1) Food establishments.~~
5 ~~(2) Food processing plants.~~
6 ~~(3) Mobile food units and pushcarts.~~
7 ~~(4) Temporary food establishments.~~
8 ~~(5) Vending machines.~~

9 ~~e. The amount of money collected in license fees~~
10 ~~during the year.~~

11 ~~d. The amount expended to perform the functions~~
12 ~~required under the agreement, submitted on a form~~
13 ~~prescribed by the department.~~

14 ~~e. Other information the director requests use the~~
15 ~~data system prescribed by the director for activities~~
16 ~~governed by an agreement executed pursuant to this~~
17 ~~section.~~

18 ~~Sec. ____.~~ Section 137F.4, Code 2015, is amended to
19 read as follows:

20 137F.4 License required.

21 A person shall not operate a food establishment or
22 food processing plant to provide goods or services to
23 the general public, or open a food establishment to
24 the general public, until the appropriate license has
25 been obtained from the regulatory authority. Sale
26 of products at wholesale to outlets not owned by a
27 commissary owner requires a food processing plant
28 license. A license shall expire one year from the date
29 of issue. A license is renewable if application for
30 renewal is made prior to expiration of the license
31 or within sixty days of the expiration date of the
32 license. All licenses issued under this chapter that
33 are not renewed by the licensee on or before the
34 expiration date shall be subject to a penalty of ten
35 percent per month of the license fee if the license is
36 renewed at a later date.

37 ~~Sec. ____.~~ Section 137F.5, Code 2015, is amended to
38 read as follows:

39 137F.5 Application for license.

40 1. An application form prescribed by the department
41 for a license under this chapter shall be obtained from
42 the department or from a municipal corporation which
43 is a regulatory authority. A completed application
44 and an application fee of two hundred dollars shall
45 be submitted to the appropriate regulatory authority.
46 However, an application for a license for a farmers
47 market, temporary food establishment for a single
48 event, temporary food establishment for multiple
49 nonconcurrent events, or vending machine is exempt from
50 the application fee requirement under this subsection.

1 2. A person conducting an event shall submit a
2 license application and an application fee of fifty
3 dollars to the appropriate regulatory authority at
4 least sixty days in advance of the event. An "event"
5 for purposes of this subsection does not include a fair
6 as defined in section 174.1 or a farmers market with
7 ten or more temporary food establishments.

8 3. The dominant form of business shall determine
9 the type of license for establishments which engage in
10 operations covered under both the definition of a food
11 establishment and of a food processing plant.

12 4. The regulatory authority where the unit is
13 domiciled shall issue a license for a mobile food unit.

14 ~~An application for renewal of a license shall be~~
15 ~~made at least thirty days before the expiration of the~~
16 ~~existing license.~~

17 Sec. _____. Section 137F.6, subsection 1, Code 2015,
18 is amended to read as follows:

19 1. The regulatory authority shall collect the
20 following annual license fees:

21 a. For a mobile food unit or pushcart, ~~twenty-seven~~
22 two hundred fifty dollars.

23 b. For a temporary food establishment per fixed
24 location for a single event, thirty-three dollars and
25 ~~fifty cents~~ fifty dollars.

26 c. For a temporary food establishment for multiple
27 nonconcurrent events during a calendar year, one
28 annual license fee of two hundred dollars for each
29 establishment on a countywide basis.

30 ~~e.~~ d. For a vending machine, ~~twenty~~ fifty dollars
31 for the first machine and ~~five~~ twenty dollars for each
32 additional machine.

33 ~~d.~~ e. For a food establishment which prepares or
34 serves food for individual portion service intended for
35 consumption on-the-premises, the annual license fee
36 shall correspond to the annual gross food and beverage
37 sales of the food establishment, as follows:

38 (1) Annual gross sales of ~~under fifty~~ less than one
39 hundred thousand dollars, sixty-seven dollars and fifty
40 ~~cents~~ one hundred fifty dollars.

41 (2) Annual gross sales of at least ~~fifty~~ one
42 hundred thousand dollars but less than one five hundred
43 thousand dollars, one hundred fourteen dollars and
44 ~~fifty cents~~ three hundred dollars.

45 (3) Annual gross sales of ~~at least one five hundred~~
46 ~~thousand dollars but less than two hundred fifty~~
47 ~~thousand dollars, two hundred thirty-six dollars and~~
48 ~~twenty-five cents~~ or more, four hundred dollars.

49 ~~—(4) Annual gross sales of two hundred fifty~~
50 ~~thousand dollars but less than five hundred thousand~~

1 ~~dollars, two hundred seventy-five dollars.~~

2 ~~—(5) Annual gross sales of five hundred thousand~~
3 ~~dollars or more, three hundred three dollars and~~
4 ~~seventy-five cents.~~

5 e. f. For a food establishment which sells food
6 or food products to consumer customers intended for
7 preparation or consumption off-the-premises, the
8 annual license fee shall correspond to the annual gross
9 food and beverage sales of the food establishment, as
10 follows:

11 (1) Annual gross sales of under ten less than two
12 hundred fifty thousand dollars, forty dollars and fifty
13 cents one hundred fifty dollars.

14 (2) Annual gross sales of at least ~~ten~~ two hundred
15 fifty thousand dollars but less than two seven hundred
16 fifty thousand dollars, one hundred one dollars and
17 twenty-five cents three hundred dollars.

18 (3) Annual gross sales of ~~at least two~~ seven
19 hundred fifty thousand dollars but less than five
20 hundred thousand dollars, one hundred fifty-five
21 dollars and twenty-five cents or more, four hundred
22 dollars.

23 ~~—(4) Annual gross sales of at least five hundred~~
24 ~~thousand dollars but less than seven hundred fifty~~
25 ~~thousand dollars, two hundred two dollars and fifty~~
26 ~~cents.~~

27 ~~—(5) Annual gross sales of seven hundred fifty~~
28 ~~thousand dollars or more, three hundred three dollars~~
29 ~~and seventy-five cents.~~

30 f. g. For a food processing plant, the annual
31 license fee shall correspond to the annual gross food
32 and beverage sales of the food processing plant, as
33 follows:

34 (1) Annual gross sales of under fifty less than two
35 hundred thousand dollars, sixty-seven dollars and fifty
36 cents one hundred fifty dollars.

37 (2) Annual gross sales of at least fifty two
38 hundred thousand dollars but less than two hundred
39 fifty thousand million dollars, one hundred thirty-five
40 dollars three hundred dollars.

41 (3) Annual gross sales of ~~at least~~ two hundred
42 fifty thousand million dollars but less than five
43 hundred thousand dollars, two hundred two dollars and
44 fifty cents or more, five hundred dollars.

45 ~~—(4) Annual gross sales of five hundred thousand~~
46 ~~dollars or more, three hundred thirty-seven dollars and~~
47 ~~fifty cents.~~

48 g. h. For a farmers market where ~~potentially~~
49 hazardous time/temperature control for safety food is
50 sold or distributed, one annual license fee of one

1 hundred fifty dollars for each vendor on a countywide
2 basis.

3 i. For a school, three hundred dollars for a
4 production kitchen and two hundred dollars for a
5 serving site.

6 j. For a certificate of free sale or sanitation,
7 thirty-five dollars for the first certificate and ten
8 dollars for each additional identical certificate
9 requested at the same time.

10 ~~h.~~ k. For a food establishment covered by both
11 paragraphs "d" "e" and "e" "f", the license fees
12 assessed shall be an amount not to exceed seventy-five
13 percent of the total fees applicable under both
14 paragraphs applicant shall pay the licensee fee based
15 on the dominant form of business plus one hundred fifty
16 dollars.

17 Sec. _____. Section 137F.6, subsection 2, Code 2015,
18 is amended by striking the subsection.

19 Sec. _____. Section 137F.10, Code 2015, is amended to
20 read as follows:

21 137F.10 Regular inspections.

22 The appropriate regulatory authority shall provide
23 for the inspection of each food establishment and food
24 processing plant in this state in accordance with this
25 chapter and with rules adopted pursuant to this chapter
26 in accordance with chapter 17A. A regulatory authority
27 may enter a food establishment or food processing plant
28 at any reasonable hour to conduct an inspection. The
29 manager or person in charge of the food establishment
30 or food processing plant shall afford free access to
31 every part of the premises and render all aid and
32 assistance necessary to enable the regulatory authority
33 to make a thorough and complete inspection. As part of
34 the inspection process, the regulatory authority shall
35 provide an explanation of the violation or violations
36 cited and provide guidance as to actions for correction
37 and elimination of the violation or violations. The
38 regulatory authority shall document the violations as
39 it deems appropriate. A food establishment or food
40 processing plant being inspected pursuant to this
41 section shall provide the regulatory authority with
42 access to records necessary to determine compliance
43 with this chapter and rules adopted pursuant to this
44 chapter. The regulatory authority may take food
45 or environmental samples as necessary to determine
46 compliance with this chapter and rules adopted pursuant
47 to this chapter.

48 Sec. _____. Section 137F.11, Code 2015, is amended to
49 read as follows:

50 137F.11 Inspection upon complaint.

1 Upon receipt of a complaint ~~by a customer of a~~
2 ~~food establishment or food processing plant~~ stating
3 facts indicating the premises ~~are in an unsanitary~~
4 ~~condition~~ of a food establishment or food processing
5 plant are not in compliance with this chapter or the
6 rules adopted pursuant to this chapter, the regulatory
7 authority may conduct an inspection. The regulatory
8 authority shall keep the name of the person making the
9 complaint confidential upon that person's request.

10 Sec. _____. REPEAL. Section 137F.17, Code 2015, is
11 repealed.>

12 2. Title page, line 4, after <atters> by inserting
13 <, and including penalties>

By STUTSMAN of Johnson

HOUSE FILE 659

H-1272

1 Amend House File 659 as follows:
2 1. Page 1, line 12, by striking <3,970,972> and
3 inserting <4,067,924>
4 2. Page 1, line 16, by striking <2,536,701> and
5 inserting <2,568,909>
6 3. Page 1, line 25, by striking <492,445> and
7 inserting <405,914>
8 4. Page 1, line 26, by striking <6.93> and
9 inserting <5.00>
10 5. Page 2, line 23, by striking <921,302> and
11 inserting <944,506>
12 6. Page 3, line 16, by striking <501,262> and
13 inserting <550,335>
14 7. Page 4, line 17, by striking <1,156,717> and
15 inserting <1,220,391>
16 8. Page 4, line 23, by striking <564,537> and
17 inserting <601,537>
18 9. Page 6, after line 33 by inserting:
19 1. GENERAL OFFICE>
20 10. Page 7, line 2, by striking <2,085,162> and
21 inserting <2,196,455>
22 11. Page 7, after line 3 by inserting:
23 <2. TERRACE HILL QUARTERS
24 For the governor's quarters at Terrace Hill,
25 including salaries, support, maintenance, and
26 miscellaneous purposes, and for not more than the
27 following full-time equivalent positions:
28 \$ 93,111
29 FTEs 1.93>
30 12. Page 7, line 15, by striking <238,023> and
31 inserting <241,134>
32 13. Page 7, line 26, by striking <214,314> and
33 inserting <224,184>
34 14. Page 7, line 32, by striking <1,001,900> and
35 inserting <1,028,077>
36 15. Page 8, line 9, by striking <529,681> and
37 inserting <545,242>
38 16. Page 8, line 15, by striking <662,567> and
39 inserting <678,942>
40 17. Page 8, line 21, by striking <2,504,737> and
41 inserting <2,573,089>
42 18. Page 9, line 1, by striking <5,009,379> and
43 inserting <5,092,033>
44 19. Page 9, line 30, by striking <41,590> and
45 inserting <42,215>
46 20. Page 10, line 11, by striking <2,608,576> and
47 inserting <2,680,290>
48 21. Page 10, line 29, by striking <1,229,128> and
49 inserting <1,279,331>
50 22. Page 12, line 13, by striking <2,443,056> and

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Page 2

1 inserting <2,550,220>
2 23. Page 12, line 33, by striking <345,528> and
3 inserting <400,000>
4 24. Page 13, line 9, by striking <16,870,646> and
5 inserting <17,880,839>
6 25. Page 14, line 5, by striking <2,811,406> and
7 inserting <2,896,699>
8 26. Page 14, after line 21 by inserting:
9 <Sec. _____. ADDRESS CONFIDENTIALITY
10 PROGRAM. Contingent upon the enactment of 2015
11 Iowa Acts, [House File 585](#), establishing an address
12 confidentiality program for certain victims of crimes,
13 there is appropriated from the general fund of the
14 state to the treasurer of state for deposit in the
15 address confidentiality program fund established in
16 2015 Iowa Acts, [House File 585](#), the amount of \$47,225
17 to be used by the office of the secretary of state
18 for the start-up costs of implementing the address
19 confidentiality program.>
20 27. Page 14, line 31, by striking <1,060,371> and
21 inserting <1,084,392>
22 28. Page 16, line 10, by striking <1,985,486> and
23 inserting <2,033,962>
24 29. Page 16, line 14, by striking <1,268,351> and
25 inserting <1,284,455>
26 30. Page 16, line 23, by striking <246,223> and
27 inserting <202,957>
28 31. Page 16, line 24, by striking <6.93> and
29 inserting <5.00>
30 32. Page 17, line 21, by striking <460,651> and
31 inserting <472,253>
32 33. Page 18, line 14, by striking <250,631> and
33 inserting <275,168>
34 34. Page 19, line 15, by striking <578,359> and
35 inserting <610,196>
36 35. Page 19, line 21, by striking <282,269> and
37 inserting <300,769>
38 36. Page 21, after line 31 by inserting:
39 1. GENERAL OFFICE>
40 37. Page 21, line 35, by striking <1,042,581> and
41 inserting <1,098,228>
42 38. Page 22, after line 1 by inserting:
43 <2. TERRACE HILL QUARTERS
44 For the governor's quarters at Terrace Hill,
45 including salaries, support, maintenance, and
46 miscellaneous purposes, and for not more than the
47 following full-time equivalent positions:
48 \$ 46,556
49 FTEs 1.93>
50 39. Page 22, line 13, by striking <119,012> and

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Page 3

1 inserting <120,567>
2 40. Page 22, line 24, by striking <107,157> and
3 inserting <112,092>
4 41. Page 22, line 30, by striking <500,950> and
5 inserting <514,039>
6 42. Page 23, line 7, by striking <264,841> and
7 inserting <272,621>
8 43. Page 23, line 13, by striking <331,284> and
9 inserting <339,471>
10 44. Page 23, line 19, by striking <1,252,369> and
11 inserting <1,286,545>
12 45. Page 23, line 34, by striking <2,504,690> and
13 inserting <2,546,017>
14 46. Page 24, line 28, by striking <20,795> and
15 inserting <21,108>
16 47. Page 25, line 9, by striking <1,304,288> and
17 inserting <1,340,145>
18 48. Page 25, line 27, by striking <614,564> and
19 inserting <639,666>
20 49. Page 27, line 11, by striking <1,221,528> and
21 inserting <1,275,110>
22 50. Page 27, line 31, by striking <172,764> and
23 inserting <200,000>
24 51. Page 28, line 7, by striking <8,435,323> and
25 inserting <8,940,420>
26 52. Page 29, line 3, by striking <1,405,703> and
27 inserting <1,448,350>
28 53. Page 29, line 29, by striking <530,186> and
29 inserting <542,196>

By HUNTER of Polk

H-1272 FILED APRIL 29, 2015

HOUSE FILE 659

H-1273

1 Amend House File 659 as follows:
2 1. Page 1, line 12, by striking <3,970,972> and
3 inserting <4,007,891>
4 2. Page 2, line 23, by striking <921,302> and
5 inserting <927,881>
6 3. Page 3, line 16, by striking <501,262> and
7 inserting <543,989>
8 4. Page 4, line 17, by striking <1,156,717> and
9 inserting <1,200,058>
10 5. Page 4, line 23, by striking <564,537> and
11 inserting <565,658>
12 6. Page 7, line 26, by striking <214,314> and
13 inserting <221,373>
14 7. Page 7, line 32, by striking <1,001,900> and
15 inserting <1,015,296>
16 8. Page 8, line 9, by striking <529,681> and
17 inserting <537,989>
18 9. Page 8, line 15, by striking <662,567> and
19 inserting <670,457>
20 10. Page 8, line 21, by striking <2,504,737> and
21 inserting <2,535,772>
22 11. Page 9, line 1, by striking <5,009,379> and
23 inserting <5,027,775>
24 12. Page 10, line 11, by striking <2,608,576> and
25 inserting <2,645,172>
26 13. Page 10, line 29, by striking <1,229,128> and
27 inserting <1,263,321>
28 14. Page 12, line 13, by striking <2,443,056> and
29 inserting <2,501,167>
30 15. Page 13, line 9, by striking <16,870,646> and
31 inserting <17,586,935>
32 16. Page 14, line 5, by striking <2,811,406> and
33 inserting <2,854,003>
34 17. Page 16, line 10, by striking <1,985,486> and
35 inserting <2,003,946>
36 18. Page 17, line 21, by striking <460,651> and
37 inserting <463,941>
38 19. Page 18, line 14, by striking <250,631> and
39 inserting <271,995>
40 20. Page 19, line 15, by striking <578,359> and
41 inserting <600,029>
42 21. Page 19, line 21, by striking <282,269> and
43 inserting <282,829>
44 22. Page 22, line 24, by striking <107,157> and
45 inserting <110,687>
46 23. Page 22, line 30, by striking <500,950> and
47 inserting <507,648>
48 24. Page 23, line 7, by striking <264,841> and
49 inserting <268,995>
50 25. Page 23, line 13, by striking <331,284> and

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Page 2

1 inserting <335,229>
2 26. Page 23, line 19, by striking <1,252,369> and
3 inserting <1,267,886>
4 27. Page 23, line 34, by striking <2,504,690> and
5 inserting <2,513,888>
6 28. Page 25, line 9, by striking <1,304,288> and
7 inserting <1,322,586>
8 29. Page 25, line 27, by striking <614,564> and
9 inserting <631,661>
10 30. Page 27, line 11, by striking <1,221,528> and
11 inserting <1,250,584>
12 31. Page 28, line 7, by striking <8,435,323> and
13 inserting <8,793,468>
14 32. Page 29, line 3, by striking <1,405,703> and
15 inserting <1,427,002>

By HUNTER of Polk

H-1273 FILED APRIL 29, 2015

HOUSE FILE 659

H-1274

1 Amend House File 659 as follows:

2 1. Page 31, after line 2 by inserting:

3 <DIVISION _____

4 STATE EMPLOYEE RETIREMENT INCENTIVE PROGRAM

5 Sec. _____. 2015 STATE EMPLOYEE RETIREMENT INCENTIVE
6 PROGRAM.

7 1. Definitions. As used in this section, unless
8 the context provides otherwise:

9 a. "Eligible employee" means an employee or
10 qualified employee who has filed a completed
11 application for benefits with the Iowa public
12 employees' retirement system created in chapter 97B in
13 which the employee's or qualified employee's intended
14 first month of entitlement, as defined in section
15 97B.1A, is no later than September 2010.

16 b. (1) "Employee" means any of the following:

17 (a) An employee, as defined by section 97B.1A,
18 who is employed by the department of administrative
19 services, auditor of state, Iowa ethics and campaign
20 disclosure board, office of the chief information
21 officer, department of commerce, offices of the
22 governor and lieutenant governor, governor's office
23 of drug control policy, department of human rights,
24 department of inspections and appeals, racing and
25 gaming commission, department of management, Iowa
26 public information board, department of revenue,
27 office of the secretary of state, and the Iowa public
28 employees' retirement system.

29 (b) An employee, as defined by section 97B.1A, who
30 is employed within the executive branch of this state
31 in an agency not specified in subparagraph division
32 (a).

33 (c) An individual who was employed at the mental
34 health institute at Clarinda, Iowa, or at the mental
35 health institute at Mount Pleasant, Iowa, as of April
36 1, 2015, who was terminated from employment at either
37 mental health institute after April 1, 2015.

38 (2) "Employee" does not mean a qualified employee,
39 an elected official, or an employee eligible for the
40 sick leave conversion program as described in section
41 70A.23, subsection 4.

42 c. "Employer" means a department, agency, board, or
43 commission of the state that employs individuals.

44 d. "Health insurance contribution benefit" means
45 the amount representing the monthly contribution
46 cost of an affordable group health care plan offered
47 by the state, as determined by the department of
48 administrative services, providing coverage to the
49 participant and, if applicable, the participant's
50 spouse for the applicable period of coverage.

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1 e. "Participant" means a person who timely submits
2 an election to participate, is accepted to participate,
3 and does participate, in the state employee retirement
4 incentive program established under this section.

5 f. "Program" means the state employee retirement
6 incentive program established under this section.

7 g. "Qualified employee" means an employee of a
8 judicial district department of correctional services,
9 an employee in the office of a statewide elected
10 official, or an employee of the state board of regents
11 if the board elects to participate in the program.

12 h. "Years of service incentive benefit" means
13 an amount equal to the entire value of an eligible
14 employee's accumulated but unused vacation plus, for
15 eligible employees with at least ten years of state
16 employment service, one thousand dollars for each
17 year of state employment service up to a maximum of
18 twenty-five years of state employment service. For
19 purposes of this paragraph, "state employment service"
20 means service, as defined in section 97B.1A, for which
21 the employer is the state.

22 2. Program eligibility. To become a participant in
23 the program, an eligible employee shall do all of the
24 following:

25 a. Submit by July 31, 2015, a written application,
26 on forms prescribed by the department of administrative
27 services, seeking participation in the program.

28 b. Acknowledge in writing the eligible employee's
29 agreement to voluntarily terminate employment in
30 exchange for the state employee retirement incentive
31 program as provided in this section.

32 c. Agree to waive all rights to file suit against
33 the state of Iowa, including all of its departments,
34 agencies, and other subdivisions, based on state
35 or federal claims arising out of the employment
36 relationship.

37 d. Acknowledge, in writing, that participation in
38 the program waives any right to accept any employment
39 with the state other than as an elected official on or
40 after the date the eligible employee separates from
41 employment.

42 e. Agree to separate from employment with the state
43 no later than August 27, 2015.

44 3. Participant acceptance. An eligible employee
45 shall be accepted into the program if the department of
46 administrative services determines that the eligible
47 employee meets the requirements to be eligible to
48 participate in the program.

49 4. Program benefits. Upon acceptance to
50 participate in the program and separation from

1 employment with the state no later than August 27,
2 2015, a participant shall receive the following
3 benefits:

4 a. During November 2015, and each November
5 thereafter for a total of five years, the state
6 shall pay to the participant, or the participant's
7 beneficiary, an amount equal to twenty percent of
8 the years of service incentive benefit for that
9 participant. Receipt of a years of service incentive
10 benefit pursuant to this section by a participant shall
11 be in lieu of receiving a payment for the participant's
12 accumulated but unused vacation upon termination of
13 employment.

14 b. For the period of time commencing with the
15 first month in which a participant is ineligible for
16 or exhausts the participant's available remaining
17 value of sick leave used to pay the state share for
18 the participant's continuation of state group health
19 insurance coverage as provided in section 70A.23,
20 subsection 3, and ending five years from the date the
21 participant separates from employment with the state
22 as provided in this section, the participant, or the
23 participant's surviving spouse, shall be entitled
24 to receive a health insurance contribution benefit
25 to be used by the participant or the participant's
26 beneficiary to pay the cost for eligible state group
27 health insurance. The department of administrative
28 services shall determine what health insurance plans
29 constitute eligible state group health insurance for
30 purposes of this paragraph "b".

31 5. Reemployment.

32 a. An employer shall not offer permanent part-time
33 employment, permanent full-time employment, temporary
34 employment, or retention as an independent contractor
35 to a participant.

36 b. This section shall not preclude a participant
37 from membership on a board or commission.

38 6. Program administration and reporting.

39 a. The department of administrative services shall
40 administer the program and shall adopt administrative
41 rules to administer the program. The department
42 of administrative services and the department of
43 management may adopt rules on an emergency basis
44 under section 17A.4, subsection 3, and section 17A.5,
45 subsection 2, paragraph "b", to implement this section
46 and the rules shall be effective immediately upon
47 filing unless a later date is specified in the rules.

48 b. Records of the Iowa public employees' retirement
49 system shall be released for the purposes of
50 administering and monitoring the program subject to the

1 requirements of section 97B.17, subsection 5.

2 c. The department of administrative services, in
3 collaboration with the department of management, shall
4 present an interim report to the general assembly,
5 including copies to the legislative services agency
6 and the fiscal committee of the legislative council,
7 by December 1, 2015, concerning the operation of the
8 program. The department shall also submit an annual
9 update concerning the program by October 1 of each
10 year for four years, commencing December 1, 2016.

11 The reports shall include information concerning the
12 number of program participants, the cost of the program
13 including any payments made to participants, the number
14 of state employment positions not filled pursuant to
15 the program, and the number of positions vacated by
16 a program participant that have been refilled with a
17 comparison of the salary of the program participant
18 at the time the position was vacated to the beginning
19 salary of the person who refilled the position.

20 7. Legislative and judicial branch employees.

21 a. The legislative council may provide a retirement
22 incentive program for employees of the legislative
23 branch consistent with the program provided in this
24 section for executive branch employees. If the
25 legislative council provides an incentive program,
26 the legislative council shall collaborate with the
27 department of administrative services to establish the
28 program as required under this section as nearly as
29 identical as possible to the program provided executive
30 branch employees under this section. The program
31 provided pursuant to this paragraph "a" shall establish
32 the same time guidelines and benefit calculations
33 as provided under the program for executive branch
34 employees.

35 b. The supreme court may provide a retirement
36 incentive program for employees of the judicial branch
37 consistent with the program provided in this section
38 for executive branch employees. If the supreme court
39 provides an incentive program, the supreme court shall
40 collaborate with the department of administrative
41 services to establish the program as required under
42 this section as nearly as identical as possible to
43 the program provided executive branch employees under
44 this section. The program provided pursuant to this
45 paragraph "b" shall establish the same time guidelines
46 and benefit calculations as provided under the program
47 for executive branch employees.

48 Sec. _____. EFFECTIVE UPON ENACTMENT. This division
49 of this Act, being deemed of immediate importance,
50 takes effect upon enactment.>

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1 2. Title page, line 4, after <atters> by inserting
2 <, and including effective date provisions>

By HUNTER of Polk

H-1274 FILED APRIL 29, 2015

HOUSE FILE 659

H-1275

1 Amend House File 659 as follows:
2 1. Page 14, after line 21 by inserting:
3 <Sec. _____. ADDRESS CONFIDENTIALITY
4 PROGRAM. Contingent upon the enactment of 2015
5 Iowa Acts, House File 585, establishing an address
6 confidentiality program for certain victims of crimes,
7 there is appropriated from the general fund of the
8 state to the treasurer of state for deposit in the
9 address confidentiality program fund established in
10 2015 Iowa Acts, House File 585, the amount of \$47,225
11 to be used by the office of the secretary of state
12 for the start-up costs of implementing the address
13 confidentiality program.>
14 2. Page 15, after line 33 by inserting:
15 <Sec. _____. TRANSFER ---- SECRETARY OF STATE ----
16 ADDRESS CONFIDENTIALITY PROGRAM. Contingent upon
17 the enactment of 2015 Iowa Acts, House File 585,
18 establishing an address confidentiality program
19 for certain victims of crimes, any unencumbered or
20 unobligated moneys remaining in the federal recovery
21 and reinvestment fund established in section 8.41A
22 on June 30, 2015, shall be transferred to the office
23 of the secretary of state for deposit in the address
24 confidentiality program fund established in 2015
25 Iowa Acts, House File 585, if enacted, to be used
26 for the start-up costs of implementing the address
27 confidentiality program.
28 Sec. _____. TRANSFER ---- SECRETARY OF STATE ---- ADDRESS
29 CONFIDENTIALITY PROGRAM. Contingent upon the enactment
30 of 2015 Iowa Acts, House File 585, establishing
31 an address confidentiality program for certain
32 victims of crimes, any unencumbered or unobligated
33 moneys remaining in the vertical infrastructure fund
34 established in section 8.57B on June 30, 2015, shall
35 be transferred to the office of the secretary of state
36 for deposit in the address confidentiality program
37 fund established in 2015 Iowa Acts, House File 585,
38 if enacted, to be used for the start-up costs of
39 implementing the address confidentiality program.
40 Sec. _____. Section 8.57, subsection 5, paragraph h,
41 Code 2015, is amended by striking the paragraph.
42 Sec. _____. 2012 Iowa Acts, chapter 1138, section 7,
43 subsection 2, is amended to read as follows:
44 2. A banking division mortgage servicing settlement
45 fund is established, separate and apart from all
46 other public moneys or funds of the state, under the
47 control of the division of banking of the department of
48 commerce. The banking division shall deposit moneys
49 received by the division from the joint state-federal
50 mortgage servicing settlement into the fund. Moneys

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1 deposited in the fund are appropriated to the banking
2 division to be used as provided in a financial
3 plan developed by the superintendent of banking and
4 approved by the department of management to support
5 state financial regulation, including oversight of
6 mortgage lending and mortgage servicing, real estate
7 and real estate appraisal, state chartered banks, and
8 other financial services regulated by the division
9 of banking. Moneys in the fund may also be used to
10 support financial literacy efforts. The financial
11 plan may be updated periodically as provided by the
12 superintendent and approved by the department of
13 management. Notwithstanding section 8.33, moneys in
14 the fund that remain unencumbered or unobligated at
15 the close of a fiscal year shall not revert but shall
16 remain available for expenditure for the purposes
17 designated until the close of the fiscal year that
18 begins July 1, 2014. Any Contingent upon the enactment
19 of 2015 Iowa Acts, [House File 585](#), establishing an
20 address confidentiality program for certain victims
21 of crimes, any unencumbered or unobligated moneys
22 remaining in the fund on June 30, 2015, shall be
23 transferred to the ~~general fund of the state~~ office
24 of the secretary of state for deposit in the address
25 confidentiality program fund established in 2015
26 Iowa Acts, [House File 585](#), if enacted, to be used
27 for the start-up costs of implementing the address
28 confidentiality program.

29 Sec. _____. REPEAL. Sections 8.41A and 8.57B, Code
30 2015, are repealed.

31 Sec. _____. EFFECTIVE UPON ENACTMENT. The following
32 provisions of this division of this Act, being deemed
33 of immediate importance, take effect upon enactment:

34 1. The section of this Act transferring moneys
35 remaining in the federal recovery and reinvestment
36 fund established in section 8.41A on June 30, 2015, to
37 the office of the secretary of state for deposit in
38 the address confidentiality program fund established
39 in 2015 Iowa Acts, [House File 585](#), if enacted, to
40 be used by the office of the secretary of state
41 for the start-up costs of implementing the address
42 confidentiality program.

43 2. The section of this Act transferring moneys
44 remaining in the vertical infrastructure fund
45 established in section 8.57B on June 30, 2015, to
46 the office of the secretary of state for deposit in
47 the address confidentiality program fund established
48 in 2015 Iowa Acts, [House File 585](#), if enacted, to
49 be used by the office of the secretary of state
50 for the start-up costs of implementing the address

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Page 3

1 confidentiality program.

2 3. The section of this Act amending 2012 Iowa Acts,
3 chapter 1138, section 7, subsection 2.>

4 3. Title page, line 4, after <atters> by inserting
5 <and including effective date provisions>

6 4. By renumbering as necessary.

By BERRY of Black Hawk

H-1275 FILED APRIL 29, 2015

SENATE FILE 336

H-1260

1 Amend the amendment, H-1249, to Senate File 336, as
2 passed by the Senate, as follows:

3 1. By striking page 1, line 1, through page 17,
4 line 28, and inserting:

5 <Amend Senate File 336, as passed by the Senate, as
6 follows:

7 1. By striking everything after the enacting clause
8 and inserting:

9 <Section 1. Section 13.31, subsection 3, Code 2015,
10 is amended to read as follows:

11 3. Administer the domestic abuse program provided
12 in chapter 236 and the sexual abuse program provided
13 in chapter 236A.

14 Sec. 2. Section 232.8, subsection 1, paragraph d,
15 subparagraph (1), Code 2015, is amended to read as
16 follows:

17 (1) The juvenile court shall abide by the
18 provisions of sections 236.4, ~~and~~ 236.6, 236A.6, and
19 236A.8 in holding hearings and making a disposition.

20 Sec. 3. Section 232.22, subsection 1, paragraph g,
21 Code 2015, is amended to read as follows:

22 g. There is probable cause to believe that the
23 child has committed a delinquent act which would be
24 domestic abuse under chapter 236, ~~or~~ sexual abuse under
25 chapter 236A, or a domestic abuse assault under section
26 708.2A if committed by an adult.

27 Sec. 4. NEW SECTION. 236A.1 Short title.

28 This chapter may be cited as the "Sexual Abuse Act".

29 Sec. 5. NEW SECTION. 236A.2 Definitions.

30 For purposes of this chapter, unless a different
31 meaning is clearly indicated by the context:

32 1. "Department" means the department of justice.

33 2. "Emergency shelter services" include but are
34 not limited to secure crisis shelters or housing for
35 victims of sexual abuse.

36 3. "Plaintiff" includes a person filing an action
37 on behalf of an unemancipated minor.

38 4. "Pro se" means a person proceeding on the
39 person's own behalf without legal representation.

40 5. "Sexual abuse" means any commission of a crime
41 defined in chapter 709 or section 726.2 or 728.12.

42 "Sexual abuse" also means any commission of a crime
43 in another jurisdiction under a statute that is
44 substantially similar to any crime defined in chapter
45 709 or section 726.2 or 728.12.

46 6. "Support services" include but are not limited
47 to legal services, counseling services, transportation
48 services, child care services, and advocacy services.

49 Sec. 6. NEW SECTION. 236A.3 Commencement of
50 actions ---- waiver to juvenile court.

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1 1. A person, including a parent or guardian on
2 behalf of an unemancipated minor, may seek relief from
3 sexual abuse by filing a verified petition in the
4 district court. Venue shall lie where either party
5 resides. The petition shall state the following:

6 a. Name of the plaintiff and the name and address
7 of the plaintiff's attorney, if any. If the plaintiff
8 is proceeding pro se, the petition shall state a
9 mailing address for the plaintiff. A mailing address
10 may be provided by the plaintiff pursuant to section
11 236A.11.

12 b. Name and address of the parent or guardian
13 filing the petition, if the petition is being filed on
14 behalf of an unemancipated minor. A mailing address
15 may be provided by the plaintiff pursuant to section
16 236A.11.

17 c. Name and address, if known, of the defendant.

18 d. Nature of the alleged sexual abuse.

19 e. Name and age of each child under eighteen whose
20 welfare may be affected by the controversy.

21 f. Desired relief, including a request for
22 temporary or emergency orders.

23 2. A temporary or emergency order shall be based
24 on a showing of a prima facie case of sexual abuse.
25 If the factual basis for the alleged sexual abuse is
26 contested, the court shall issue a protective order
27 based upon a finding of sexual abuse by a preponderance
28 of the evidence.

29 3. a. The filing fee and court costs for an order
30 for protection and in a contempt action under this
31 chapter shall be waived for the plaintiff.

32 b. The clerk of court, the sheriff of any county in
33 this state, and other law enforcement and corrections
34 officers shall perform their duties relating to service
35 of process without charge to the plaintiff. When an
36 order for protection is entered by the court, the court
37 may direct the defendant to pay to the clerk of court
38 the fees for the filing of the petition and reasonable
39 costs of service of process if the court determines the
40 defendant has the ability to pay the plaintiff's fees
41 and costs. In lieu of personal service of an order for
42 protection issued pursuant to this section, the sheriff
43 of any county in this state and other law enforcement
44 and corrections officers may serve a defendant with a
45 short-form notification pursuant to section 664A.4A.

46 4. If the person against whom relief from sexual
47 abuse is being sought is seventeen years of age
48 or younger, the district court shall waive its
49 jurisdiction over the action to the juvenile court.

50 Sec. 7. NEW SECTION. 236A.4 Plaintiffs proceeding

1 pro se ---- provision of forms and assistance.

2 1. The department shall prescribe standard forms
3 to be used by plaintiffs seeking protective orders
4 by proceeding pro se in actions under this chapter.
5 The standard forms shall include language in fourteen
6 point boldface type. Standard forms prescribed by
7 the department shall be the exclusive forms used by
8 plaintiffs proceeding pro se, and may be used by other
9 plaintiffs. The department shall distribute the forms
10 to the clerks of the district court.

11 2. The clerk of the district court shall furnish
12 the required forms to persons seeking protective orders
13 through pro se proceedings pursuant to this chapter.

14 Sec. 8. NEW SECTION. 236A.5 Assistance by county
15 attorney.

16 A county attorney's office may provide assistance
17 to a person wishing to initiate proceedings pursuant
18 to this chapter or to a plaintiff at any stage of a
19 proceeding under this chapter, if the individual does
20 not have sufficient funds to pay for legal assistance
21 and if the assistance does not create a conflict
22 of interest for the county attorney's office. The
23 assistance provided may include but is not limited to
24 assistance in obtaining or completing forms, filing
25 a petition or other necessary pleading, presenting
26 evidence to the court, and enforcing the orders of the
27 court entered pursuant to this chapter. Providing
28 assistance pursuant to this section shall not be
29 considered the private practice of law for the purposes
30 of section 331.752.

31 Sec. 9. NEW SECTION. 236A.6 Hearings ---- temporary
32 orders.

33 1. Not less than five and not more than fifteen
34 days after commencing a proceeding and upon notice to
35 the other party, a hearing shall be held at which the
36 plaintiff must prove the allegation of sexual abuse by
37 a preponderance of the evidence.

38 2. The court may enter any temporary order it deems
39 necessary to protect the plaintiff from sexual abuse
40 prior to the hearing upon good cause shown in an ex
41 parte proceeding. Present danger of sexual abuse to
42 the plaintiff constitutes good cause for purposes of
43 this subsection.

44 3. If a hearing is continued, the court may make or
45 extend any temporary order under subsection 2 that it
46 deems necessary.

47 4. Upon application of a party, the court shall
48 issue subpoenas requiring attendance and testimony of
49 witnesses and production of papers.

50 5. The court shall advise the defendant of a

1 right to be represented by counsel of the defendant's
2 choosing and to have a continuance to secure counsel.

3 6. Hearings shall be recorded.

4 Sec. 10. NEW SECTION. 236A.7 Disposition.

5 1. Upon a finding that the defendant has engaged in
6 sexual abuse, the court may grant a protective order or
7 approve a consent agreement which may contain but is
8 not limited to any of the following provisions:

9 a. That the defendant cease sexual abuse of the
10 plaintiff.

11 b. That the defendant stay away from the
12 plaintiff's residence, school, or place of employment.

13 2. An order for a protective order or approved
14 consent agreement shall be for a fixed period of
15 time not to exceed one year. The court may amend or
16 extend its order or a consent agreement at any time
17 upon a petition filed by either party and after notice
18 and hearing. The court may extend the order if the
19 court, after hearing at which the defendant has the
20 opportunity to be heard, finds that the defendant
21 continues to pose a threat to the safety of the victim,
22 persons residing with the victim, or members of the
23 victim's immediate family. The number of extensions
24 that can be granted by the court is not limited.

25 3. The order shall state whether a person is to be
26 taken into custody by a peace officer for a violation
27 of the terms stated in the order.

28 4. The court may order that the defendant pay the
29 plaintiff's attorney fees and court costs.

30 5. An order or consent agreement under this section
31 shall not affect title to real property.

32 6. A copy of any order or approved consent
33 agreement shall be issued to the plaintiff, the
34 defendant, the county sheriff of the county in which
35 the order or consent decree is initially entered, and
36 the twenty-four-hour dispatcher for the county sheriff.
37 Any subsequent amendment or revocation of an order
38 or consent agreement shall be forwarded by the clerk
39 to all individuals and the county sheriff previously
40 notified.

41 7. The clerk shall notify the county sheriff and
42 the twenty-four-hour dispatcher for the county sheriff
43 in writing so that the county sheriff and the county
44 sheriff's dispatcher receive written notice within six
45 hours of filing the order, approved consent agreement,
46 amendment, or revocation. The clerk may fulfill this
47 requirement by sending the notice by facsimile or other
48 electronic transmission which reproduces the notice in
49 writing within six hours of filing the order.

50 8. The county sheriff's dispatcher shall notify all

1 law enforcement agencies having jurisdiction over the
2 matter and the twenty-four-hour dispatcher for the law
3 enforcement agencies upon notification by the clerk.

4 Sec. 11. NEW SECTION. 236A.8 Emergency orders.

5 1. When the court is unavailable from the close
6 of business at the end of the day or week to the
7 resumption of business at the beginning of the day or
8 week, a petition may be filed before a district judge,
9 or district associate judge designated by the chief
10 judge of the judicial district, who may grant emergency
11 relief in accordance with section 236A.7, subsection
12 1, paragraph "b", if the district judge or district
13 associate judge deems it necessary to protect the
14 plaintiff from sexual abuse, upon good cause shown in
15 an ex parte proceeding. Present danger of sexual abuse
16 to the plaintiff constitutes good cause for purposes
17 of this subsection.

18 2. An emergency order issued under subsection 1
19 shall expire seventy-two hours after issuance. When
20 the order expires, the plaintiff may seek a temporary
21 order from the court pursuant to section 236A.6.

22 3. A petition filed and emergency order issued
23 under this section and any documentation in support of
24 the petition and order shall be immediately certified
25 to the court. The certification shall commence a
26 proceeding for purposes of section 236A.3.

27 Sec. 12. NEW SECTION. 236A.9 Procedure.

28 A proceeding under this chapter shall be held in
29 accordance with the rules of civil procedure, except
30 as otherwise set forth in this chapter and in chapter
31 664A, and is in addition to any other civil or criminal
32 remedy.

33 Sec. 13. NEW SECTION. 236A.10 Sexual abuse
34 information.

35 1. Criminal or juvenile justice agencies, as
36 defined in section 692.1, shall collect and maintain
37 information on incidents involving sexual abuse
38 and shall provide the information to the department
39 of public safety in the manner prescribed by the
40 department of public safety.

41 2. The department of public safety may compile
42 statistics and issue reports on sexual abuse in Iowa,
43 provided individual identifying details of the sexual
44 abuse are deleted. The statistics and reports may
45 include nonidentifying information on the personal
46 characteristics of perpetrators and victims. The
47 department of public safety may request the cooperation
48 of the department of justice in compiling the
49 statistics and issuing the reports. The department of
50 public safety may provide nonidentifying information

1 on individual incidents of sexual abuse to persons
2 conducting bona fide research, including but not
3 limited to personnel of the department of justice.

4 Sec. 14. NEW SECTION. 236A.11 Plaintiff's address
5 ---- confidentiality of records.

6 1. A person seeking relief from sexual abuse under
7 this chapter may use any of the following addresses as
8 a mailing address for purposes of filing a petition
9 under this chapter, as well as for the purpose of
10 obtaining any utility or other service:

11 a. The mailing address of a shelter or other
12 agency.

13 b. A public or private post office box.

14 c. Any other mailing address, with the permission
15 of the resident of that address.

16 2. A person shall report any change of address,
17 whether designated according to subsection 1 or
18 otherwise, to the clerk of court no more than five days
19 after the previous address on record becomes invalid.

20 3. The entire file or a portion of the file in a
21 sexual abuse case shall be sealed by the clerk of court
22 as ordered by the court to protect the privacy interest
23 or safety of any person.

24 4. Notwithstanding subsection 3, court orders and
25 support payment records shall remain public records,
26 although the court may order that address and location
27 information be redacted from the public records.

28 Sec. 15. NEW SECTION. 236A.12 Duties of peace
29 officer ---- magistrate.

30 1. A peace officer shall use every reasonable means
31 to enforce an order or court-approved consent agreement
32 entered under this chapter, an order that establishes
33 conditions of release or is a protective order or
34 sentencing order in a criminal prosecution arising from
35 a sexual abuse, or a protective order under chapter
36 232. If a peace officer has reason to believe that
37 sexual abuse has occurred, the peace officer shall ask
38 the abused person if any prior orders exist, and shall
39 contact the twenty-four-hour dispatcher to inquire
40 if any prior orders exist. If a peace officer has
41 probable cause to believe that a person has violated
42 an order or approved consent agreement entered under
43 this chapter, an order establishing conditions of
44 release or a protective or sentencing order in a
45 criminal prosecution arising from sexual abuse, or, if
46 the person is an adult, a violation of a protective
47 order under chapter 232, the peace officer shall take
48 the person into custody and shall take the person
49 without unnecessary delay before the nearest or most
50 accessible magistrate in the judicial district in which

1 the person was taken into custody. The magistrate
2 shall make an initial preliminary determination whether
3 there is probable cause to believe that an order or
4 consent agreement existed and that the person taken
5 into custody has violated its terms. The magistrate's
6 decision shall be entered in the record.

7 2. If a peace officer has probable cause to believe
8 that a person has violated an order or approved
9 consent agreement entered under this chapter, an order
10 establishing conditions of release or a protective or
11 sentencing order in a criminal prosecution arising from
12 a sexual abuse, or a protective order under chapter
13 232, and the peace officer is unable to take the person
14 into custody within twenty-four hours of making the
15 probable cause determination, the peace officer shall
16 either request a magistrate to make a determination
17 as to whether a rule to show cause or arrest warrant
18 should be issued, or refer the matter to the county
19 attorney.

20 3. If the magistrate finds probable cause, the
21 magistrate shall order the person to appear either
22 before the court which issued the original order or
23 approved the consent agreement, or before the court
24 in the jurisdiction where the alleged violation took
25 place, at a specified time not less than five days nor
26 more than fifteen days after the initial appearance
27 under this section. The magistrate shall cause the
28 original court to be notified of the contents of the
29 magistrate's order.

30 4. A peace officer shall not be held civilly or
31 criminally liable for acting pursuant to this section
32 provided that the peace officer acts reasonably and in
33 good faith, on probable cause, and the officer's acts
34 do not constitute a willful and wanton disregard for
35 the rights or safety of another.

36 Sec. 16. NEW SECTION. 236A.13 Prevention of
37 further abuse ---- notification of rights ---- arrest ----
38 liability.

39 1. If a peace officer has reason to believe that
40 sexual abuse has occurred, the officer shall use all
41 reasonable means to prevent further abuse including but
42 not limited to the following:

43 a. If requested, remaining on the scene as long as
44 there is a danger to an abused person's physical safety
45 without the presence of a peace officer, including but
46 not limited to staying in the dwelling unit, or if
47 unable to remain on the scene, assisting the person in
48 leaving the residence.

49 b. Assisting an abused person in obtaining medical
50 treatment necessitated by an assault, including

1 providing assistance to the abused person in obtaining
2 transportation to the emergency room of the nearest
3 hospital.

4 c. Providing an abused person with immediate and
5 adequate notice of the person's rights. The notice
6 shall consist of handing the person a document that
7 includes the telephone numbers of shelters, support
8 groups, and crisis lines operating in the area and
9 contains a copy of the following statement written in
10 English and Spanish; asking the person to read the
11 card; and asking whether the person understands the
12 rights:

13 You have the right to ask the court for the
14 following help on a temporary basis:

15 [1] Keeping your attacker away from you, your home,
16 and your place of work.

17 [2] The right to stay at your home without
18 interference from your attacker.

19 You have the right to seek help from the court to
20 seek a protective order with or without the assistance
21 of legal representation. You have the right to seek
22 help from the courts without the payment of court costs
23 if you do not have sufficient funds to pay the costs.

24 You have the right to file criminal charges for
25 threats, assaults, or other related crimes.

26 You have the right to seek restitution against your
27 attacker for harm to yourself or your property.

28 If you are in need of medical treatment, you have
29 the right to request that the officer present assist
30 you in obtaining transportation to the nearest hospital
31 or otherwise assist you.

32 If you believe that police protection is needed for
33 your physical safety, you have the right to request
34 that the officer present remain at the scene until you
35 and other affected parties can leave or until safety
36 is otherwise ensured.

37 2. A peace officer is not civilly or criminally
38 liable for actions pursuant to this section taken
39 reasonably and in good faith.

40 Sec. 17. NEW SECTION. 236A.14 Prohibition against
41 referral.

42 In a criminal action arising from sexual abuse, as
43 defined in section 236A.2, the prosecuting attorney or
44 court shall not refer or order the parties involved
45 to mediation or other nonjudicial procedures prior to
46 judicial resolution of the action.

47 Sec. 18. NEW SECTION. 236A.15 Application for
48 designation and funding as a provider of services for
49 victims of sexual abuse.

50 Upon receipt of state or federal funding designated

1 for victims of sexual abuse by the department, a public
2 or private nonprofit organization may apply to the
3 department for designation and funding as a provider
4 of emergency shelter services and support services
5 to victims of sexual abuse. The application shall
6 be submitted on a form prescribed by the department
7 and shall include but not be limited to information
8 regarding services to be provided, budget, and security
9 measures.

10 Sec. 19. NEW SECTION. 236A.16 Department powers
11 and duties.

12 1. The department shall do all of the following:

13 a. Designate and award grants for existing and
14 pilot programs pursuant to this chapter to provide
15 emergency shelter services and support services to
16 victims of sexual abuse.

17 b. Design and implement a uniform method of
18 collecting data from sexual abuse organizations funded
19 under this chapter.

20 c. Designate and award moneys for publicizing and
21 staffing a statewide, toll-free telephone hotline
22 for use by victims of sexual abuse. The department
23 may award a grant to a public agency or a private,
24 nonprofit organization for the purpose of operating the
25 hotline. The operation of the hotline shall include
26 informing victims of their rights and of various
27 community services that are available, referring
28 victims to service providers, receiving complaints
29 concerning misconduct by peace officers and encouraging
30 victims to refer such complaints to the office of
31 ombudsman, providing counseling services to victims
32 over the telephone, and providing sexual abuse victim
33 advocacy.

34 d. Advertise the toll-free telephone hotline
35 through the use of public service announcements,
36 billboards, print and broadcast media services,
37 and other appropriate means, and contact media
38 organizations to encourage the provision of free or
39 inexpensive advertising concerning the hotline and its
40 services.

41 e. Develop, with the assistance of the entity
42 operating the telephone hotline and other sexual abuse
43 victim services providers, brochures explaining the
44 rights of victims set forth under section 236A.13 and
45 the services of the telephone hotline, and distribute
46 the brochures to law enforcement agencies, victim
47 service providers, health practitioners, charitable and
48 religious organizations, and other entities that may
49 have contact with victims of sexual abuse.

50 2. The department shall consult and cooperate with

1 all public and private agencies which may provide
2 services to victims of sexual abuse, including but not
3 limited to legal services, social services, prospective
4 employment opportunities, and unemployment benefits.

5 3. The department may accept, use, and dispose of
6 contributions of money, services, and property made
7 available by an agency or department of the state or
8 federal government, or a private agency or individual.

9 Sec. 20. NEW SECTION. 236A.17 Sexual abuse
10 training requirements.

11 The department, in cooperation with victim service
12 providers, shall work with various professional
13 organizations to encourage organizations to establish
14 training programs for professionals who work in the
15 area of sexual abuse prevention and services. Sexual
16 abuse training may include but is not limited to the
17 following areas:

18 1. The enforcement of both civil and criminal
19 remedies in sexual abuse matters.

20 2. The nature, extent, and causes of sexual abuse.

21 3. The legal rights and remedies available
22 to sexual abuse victims, including crime victim
23 compensation.

24 4. Services available to sexual abuse victims
25 including the sexual abuse telephone hotline.

26 5. The duties of peace officers pursuant to this
27 chapter.

28 6. Techniques for intervention in sexual abuse
29 cases.

30 Sec. 21. NEW SECTION. 236A.18 Reference to certain
31 criminal provisions.

32 In addition to the provisions contained in this
33 chapter, certain criminal penalties and provisions
34 pertaining to sexual abuse are set forth in chapters
35 664A and 709 and section 726.2 or 728.12.

36 Sec. 22. NEW SECTION. 236A.19 Foreign protective
37 orders ---- registration ---- enforcement.

38 1. As used in this section, "foreign protective
39 order" means a protective order entered by a court of
40 another state, Indian tribe, or United States territory
41 that would be an order or court-approved consent
42 agreement entered under this chapter, an order that
43 establishes conditions of release, or a protective
44 order or sentencing order in a criminal prosecution
45 arising from a sexual abuse if it had been entered in
46 Iowa.

47 2. A certified or authenticated copy of a permanent
48 foreign protective order may be filed with the clerk of
49 the district court in any county that would have venue
50 if the original action was being commenced in this

1 state or in which the person in whose favor the order
2 was entered may be present.

3 a. The clerk shall file foreign protective orders
4 that are not certified or authenticated, if supported
5 by an affidavit of a person with personal knowledge,
6 subject to the penalties for perjury. The person
7 protected by the order may provide this affidavit.

8 b. The clerk shall provide copies of the order as
9 required by section 236A.7, except that notice shall
10 not be provided to the respondent without the express
11 written direction of the person in whose favor the
12 order was entered.

13 3. a. A valid foreign protective order has the
14 same effect and shall be enforced in the same manner as
15 a protective order issued in this state whether or not
16 filed with a clerk of court or otherwise placed in a
17 registry of protective orders.

18 b. A foreign protective order is valid if it meets
19 all of the following:

20 (1) The order states the name of the protected
21 individual and the individual against whom enforcement
22 is sought.

23 (2) The order has not expired.

24 (3) The order was issued by a court or tribunal
25 that had jurisdiction over the parties and subject
26 matter under the law of the foreign jurisdiction.

27 (4) The order was issued in accordance with
28 the respondent's due process rights, either after
29 the respondent was provided with reasonable notice
30 and an opportunity to be heard before the court or
31 tribunal that issued the order, or in the case of an
32 ex parte order, the respondent was granted notice and
33 opportunity to be heard within a reasonable time after
34 the order was issued.

35 c. Proof that a foreign protective order failed
36 to meet all of the factors listed in paragraph "b"
37 shall be an affirmative defense in any action seeking
38 enforcement of the order.

39 4. A peace officer shall treat a foreign protective
40 order as a valid legal document and shall make an
41 arrest for a violation of the foreign protective order
42 in the same manner that a peace officer would make an
43 arrest for a violation of a protective order issued
44 within this state.

45 a. The fact that a foreign protective order has not
46 been filed with the clerk of court or otherwise placed
47 in a registry shall not be grounds to refuse to enforce
48 the terms of the order unless it is apparent to the
49 officer that the order is invalid on its face.

50 b. A peace officer acting reasonably and in good

1 faith in connection with the enforcement of a foreign
2 protective order shall be immune from civil and
3 criminal liability in any action arising in connection
4 with such enforcement.

5 5. Filing and service costs in connection with
6 foreign protective orders are waived as provided in
7 section 236A.3.

8 Sec. 23. NEW SECTION. 236A.20 Mutual protective
9 orders prohibited ---- exceptions.

10 A court in an action under this chapter shall not
11 issue mutual protective orders against the victim and
12 the abuser unless both file a petition requesting a
13 protective order.

14 Sec. 24. Section 331.424, subsection 1, paragraph
15 a, subparagraph (6), Code 2015, is amended to read as
16 follows:

17 (6) The maintenance and operation of the courts,
18 including but not limited to the salary and expenses
19 of the clerk of the district court and other employees
20 of the clerk's office, and bailiffs, court costs
21 if the prosecution fails or if the costs cannot be
22 collected from the person liable, costs and expenses
23 of prosecution under section 189A.17, salaries and
24 expenses of juvenile court officers under chapter
25 602, court-ordered costs in domestic abuse cases
26 under section 236.5, sexual abuse cases under section
27 236A.7, and elder abuse cases under section 235F.6,
28 the county's expense for confinement of prisoners
29 under chapter 356A, temporary assistance to the county
30 attorney, county contributions to a retirement system
31 for bailiffs, reimbursement for judicial magistrates
32 under section 602.6501, claims filed under section
33 622.93, interpreters' fees under section 622B.7,
34 uniform citation and complaint supplies under section
35 805.6, and costs of prosecution under section 815.13.

36 Sec. 25. Section 507B.4, subsection 3, paragraph
37 g, subparagraph (3), Code 2015, is amended to read as
38 follows:

39 (3) Making or permitting any discrimination in the
40 sale of insurance solely on the basis of domestic abuse
41 as defined in section 236.2 or sexual abuse as defined
42 in section 236A.2.

43 Sec. 26. Section 600A.8, Code 2015, is amended by
44 adding the following new subsection:

45 NEW SUBSECTION. 11. A biological parent of the
46 child who is the subject of the termination of parental
47 rights has been convicted of sexual abuse against the
48 other biological parent of the child and the child was
49 conceived as a result of the sexual abuse.

50 Sec. 27. Section 664A.1, subsection 2, Code 2015,

1 is amended to read as follows:

2 2. "Protective order" means a protective order
3 issued pursuant to chapter 232, a court order or
4 court-approved consent agreement entered pursuant
5 to this chapter or chapter 235F, a court order or
6 court-approved consent agreement entered pursuant
7 to chapter 236 or 236A, including a valid foreign
8 protective order under section 236.19, subsection 3, or
9 section 236A.19, subsection 3, a temporary or permanent
10 protective order or order to vacate the homestead under
11 chapter 598, or an order that establishes conditions of
12 release or is a protective order or sentencing order in
13 a criminal prosecution arising from a domestic abuse
14 assault under section 708.2A, or a civil injunction
15 issued pursuant to section 915.22.

16 Sec. 28. Section 664A.2, subsection 2, Code 2015,
17 is amended to read as follows:

18 2. A protective order issued in a civil proceeding
19 shall be issued pursuant to chapter 232, 235F, 236,
20 236A, 598, or 915. Punishment for a violation of a
21 protective order shall be imposed pursuant to section
22 664A.7.

23 Sec. 29. Section 664A.3, subsection 1, unnumbered
24 paragraph 1, Code 2015, is amended to read as follows:

25 When a person is taken into custody for contempt
26 proceedings pursuant to section 236.11, taken into
27 custody pursuant to section 236A.12, or arrested for
28 any public offense referred to in section 664A.2,
29 subsection 1, and the person is brought before a
30 magistrate for initial appearance, the magistrate shall
31 enter a no-contact order if the magistrate finds both
32 of the following:

33 Sec. 30. Section 664A.3, subsection 2, Code 2015,
34 is amended to read as follows:

35 2. Notwithstanding chapters 804 and 805, a person
36 taken into custody pursuant to section 236.11 or
37 236A.12 or arrested pursuant to section 236.12 may
38 be released on bail or otherwise only after initial
39 appearance before a magistrate as provided in chapter
40 804 and the rules of criminal procedure or section
41 236.11 or 236A.12, whichever is applicable.

42 Sec. 31. Section 664A.4, subsection 2, Code 2015,
43 is amended to read as follows:

44 2. The clerk of the district court shall
45 provide a notice and copy of the no-contact order
46 to the appropriate law enforcement agencies and the
47 twenty-four-hour dispatcher for the law enforcement
48 agencies in the same manner as provided in section
49 235F.6, ~~or~~ 236.5, or 236A.7, as applicable. The clerk
50 of the district court shall provide a notice and copy

1 of a modification or vacation of a no-contact order in
2 the same manner.

3 Sec. 32. Section 664A.5, Code 2015, is amended to
4 read as follows:

5 664A.5 Modification ---- entry of permanent no-contact
6 order.

7 If a defendant is convicted of, receives a deferred
8 judgment for, or pleads guilty to a public offense
9 referred to in section 664A.2, subsection 1, or is
10 held in contempt for a violation of a no-contact
11 order issued under section 664A.3 or for a violation
12 of a protective order issued pursuant to chapter
13 232, 235F, 236, 236A, 598, or 915, the court shall
14 either terminate or modify the temporary no-contact
15 order issued by the magistrate. The court may enter
16 a no-contact order or continue the no-contact order
17 already in effect for a period of five years from the
18 date the judgment is entered or the deferred judgment
19 is granted, regardless of whether the defendant is
20 placed on probation.

21 Sec. 33. Section 664A.7, subsections 1, 3, and 5,
22 Code 2015, are amended to read as follows:

23 1. Violation of a no-contact order issued under
24 this chapter or a protective order issued pursuant
25 to chapter 232, 235F, 236, 236A, or 598, including a
26 modified no-contact order, is punishable by summary
27 contempt proceedings.

28 3. If convicted of or held in contempt for
29 a violation of a no-contact order or a modified
30 no-contact order for a public offense referred to in
31 section 664A.2, subsection 1, or held in contempt
32 of a no-contact order issued during a contempt
33 proceeding brought pursuant to section 236.11 or
34 236A.12, the person shall be confined in the county
35 jail for a minimum of seven days. A jail sentence
36 imposed pursuant to this subsection shall be served
37 on consecutive days. No portion of the mandatory
38 minimum term of confinement imposed by this subsection
39 shall be deferred or suspended. A deferred judgment,
40 deferred sentence, or suspended sentence shall not
41 be entered for a violation of a no-contact order,
42 modified no-contact order, or protective order and the
43 court shall not impose a fine in lieu of the minimum
44 sentence, although a fine may be imposed in addition to
45 the minimum sentence.

46 5. Violation of a no-contact order entered for the
47 offense or alleged offense of domestic abuse assault
48 in violation of section 708.2A or a violation of a
49 protective order issued pursuant to chapter 232, 235F,
50 236, 236A, 598, or 915 constitutes a public offense and

1 is punishable as a simple misdemeanor. Alternatively,
2 the court may hold a person in contempt of court for
3 such a violation, as provided in subsection 3.

4 Sec. 34. Section 702.11, subsection 1, Code 2015,
5 is amended to read as follows:

6 1. A "forcible felony" is any felonious child
7 endangerment, assault, murder, sexual abuse,
8 kidnapping, robbery, arson in the first degree, ~~or~~
9 burglary in the first degree, or human trafficking.

10 Sec. 35. NEW SECTION. 708.11A Unauthorized
11 placement of global positioning device.

12 1. "Global positioning device" means a device used
13 to track the location of a person or an object that
14 is separate and distinct from another object or not
15 integrated or sold as part of another object, which
16 is part of a space-based satellite navigation system
17 and which is designed to provide location and time
18 information anywhere on or near the earth. "Global
19 positioning device" does not include a mobile telephone
20 or other electronic communication device knowingly in
21 the possession of a person.

22 2. A person commits unauthorized placement of a
23 global positioning device, when, the person, without
24 the consent of the other person, places a global
25 positioning device on the other person or an object in
26 order to track the movements of the other person.

27 3. This section shall not apply to the following:

28 a. A parent of a minor from placing a global
29 positioning device on the minor or on an object in
30 order to track the movements of the minor.

31 b. A business entity from placing a global
32 positioning device on an object in order to track the
33 movements of an employee or contract employee.

34 c. An owner of an object from placing a global
35 positioning device on the object in order to track the
36 movements of the object.

37 d. Use of a global positioning device pursuant to
38 chapter 808B or pursuant to a warrant issued by a state
39 or federal court.

40 4. A person who commits a violation of this section
41 commits a serious misdemeanor.

42 Sec. 36. Section 709.15, subsection 1, paragraph
43 f, Code 2015, is amended by striking the paragraph and
44 inserting in lieu thereof the following:

45 f. (1) "School employee" means any of the
46 following, except as provided in subparagraph (2):

47 (a) A person who holds a license, certificate,
48 authorization, or statement of professional recognition
49 issued by the board of educational examiners under
50 chapter 272.

1 (b) A person employed by a school district or
2 nonpublic school full-time or part-time, or as a
3 substitute employee.

4 (c) A contract employee of a school district or
5 nonpublic school who has significant contact with
6 students enrolled in the school district or nonpublic
7 school.

8 (d) A person who performs services as a volunteer
9 for a school district or nonpublic school and who has
10 significant contact with students enrolled in the
11 school district or nonpublic school.

12 (2) "School employee" does not include the
13 following:

14 (a) A student enrolled in a school district or
15 nonpublic school.

16 (b) A person who holds a coaching authorization
17 issued under section 272.31, subsection 1, if the
18 person is less than four years older than the student
19 with whom the person engages in conduct prohibited
20 under subsection 3, paragraph "a", and the person is
21 not in a position of direct authority over the student.

22 (c) A person who performs services as a volunteer
23 for a school district or nonpublic school and who has
24 significant contact with students enrolled in the
25 school district or nonpublic school, if the person
26 is less than four years older than the student with
27 whom the person engages in conduct prohibited under
28 subsection 3, paragraph "a", and the person is not in a
29 position of direct authority over the student.

30 Sec. 37. Section 709.15, subsection 3, Code 2015,
31 is amended by adding the following new paragraph:

32 NEW PARAGRAPH. c. The provisions of this
33 subsection do not apply to a person who is employed
34 by, volunteers for, or is under contract with a school
35 district or nonpublic school if the student is not
36 enrolled in the same school district or nonpublic
37 school that employs the person or for which the person
38 volunteers or is under contract, and the person does
39 not meet the requirements of subsection 1, paragraph
40 "f", subparagraph (1), subparagraph division (a).

41 Sec. 38. Section 709.21, subsection 1, paragraph a,
42 Code 2015, is amended to read as follows:

43 a. The other person ~~does not have knowledge about~~
44 ~~and~~ does not consent or is unable to consent to being
45 viewed, photographed, or filmed.

46 Sec. 39. Section 709.21, subsection 3, Code 2015,
47 is amended to read as follows:

48 3. A person who violates this section commits a
49 ~~serious~~ an aggravated misdemeanor.

50 Sec. 40. Section 716.7, subsection 2, paragraph

1 a, Code 2015, is amended by adding the following new
2 subparagraph:

3 NEW SUBPARAGRAPH. (7) Intentionally viewing,
4 photographing, or filming another person through the
5 window or any other aperture of a dwelling, without
6 legitimate purpose, while present on the real property
7 upon which the dwelling is located, or while placing
8 on or retrieving from such property equipment to view,
9 photograph, or film another person, if the person
10 being viewed, photographed, or filmed has a reasonable
11 expectation of privacy, and if the person being viewed,
12 photographed, or filmed does not consent or cannot
13 consent to being viewed, photographed, or filmed.

14 Sec. 41. Section 716.8, subsection 1, Code 2015, is
15 amended to read as follows:

16 1. Any person who knowingly trespasses upon the
17 property of another commits a simple misdemeanor,
18 except that any person who intentionally trespasses as
19 defined in section 716.7, subsection 2, paragraph "a",
20 subparagraph (7), commits a serious misdemeanor.

21 Sec. 42. Section 915.22, subsection 5, Code 2015,
22 is amended to read as follows:

23 5. The clerk of the district court shall provide
24 notice and copies of restraining orders issued pursuant
25 to this section in a criminal case involving an
26 alleged violation of section 708.2A to the applicable
27 law enforcement agencies and the twenty-four hour
28 dispatcher for the law enforcement agencies, in the
29 manner provided for protective orders under section
30 236.5 or 236A.7. The clerk shall provide notice and
31 copies of modifications or vacations of these orders
32 in the same manner.

33 Sec. 43. Section 915.50, unnumbered paragraph 1,
34 Code 2015, is amended to read as follows:

35 In addition to other victim rights provided in this
36 chapter, victims of domestic abuse and sexual abuse
37 shall have the following rights:

38 Sec. 44. Section 915.50, subsections 1 and 2, Code
39 2015, are amended to read as follows:

40 1. The right to file a pro se petition for relief
41 from domestic abuse and sexual abuse in the district
42 court, pursuant to sections 236.3 through 236.10 and
43 sections 236A.3 through 236A.11.

44 2. The right, pursuant to ~~section~~ sections 236.12,
45 and 236A.13, for law enforcement to remain on the
46 scene, to assist the victim in leaving the scene,
47 to assist the victim in obtaining transportation to
48 medical care, and to provide the person with a written
49 statement of victim rights and information about
50 domestic abuse and sexual abuse shelters, support

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1 services, and crisis lines.

2 Sec. 45. Section 915.94, Code 2015, is amended to
3 read as follows:

4 915.94 Victim compensation fund.

5 A victim compensation fund is established as a
6 separate fund in the state treasury. Moneys deposited
7 in the fund shall be administered by the department
8 and dedicated to and used for the purposes of
9 section 915.41 and this subchapter. In addition, the
10 department may use moneys from the fund for the purpose
11 of the department's prosecutor-based victim service
12 coordination, including the duties defined in sections
13 910.3 and 910.6 and this chapter, and for the award of
14 funds to programs that provide services and support to
15 victims of domestic abuse or ~~sexual assault~~ abuse as
16 provided in chapter 236, to victims of sexual abuse
17 as provided in chapter 236A, to victims under section
18 710A.2, and for the support of an automated victim
19 notification system established in section 915.10A.
20 The department may also use up to one hundred thousand
21 dollars from the fund to provide training for victim
22 service providers. Notwithstanding section 8.33, any
23 balance in the fund on June 30 of any fiscal year shall
24 not revert to the general fund of the state.>

25 2. Title page, line 1, after <to> by inserting
26 <sexual abuse, sexual exploitation, human trafficking,
27 unauthorized tracking of a person, and invasion of
28 privacy, including>

29 3. By renumbering as necessary.>

By HEARTSILL of Marion

H-1260 FILED APRIL 29, 2015

SENATE FILE 482

H-1259

1 Amend Senate File 482, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 50, after line 14 by inserting:

4 <Sec. _____. Section 423.3, Code 2015, is amended by
5 adding the following new subsection:

6 NEW SUBSECTION. 101. The sales price from the
7 operation of a bingo game, as defined in chapter 99B,
8 operated by a nonprofit entity that is exempt from
9 federal income taxation pursuant to section 501(c)(3)
10 of the Internal Revenue Code, a government entity, or a
11 nonprofit private educational institution.>

12 2. Title page, line 1, after <gambling> by
13 inserting <, including a sales tax exemption,>

14 3. By renumbering as necessary.

By MOORE of Jackson

H-1259 FILED APRIL 29, 2015

SENATE FILE 482

H-1261

1 Amend Senate File 482, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 50, after line 14 by inserting:
4 <Sec. _____. Section 423.3, subsection 78, paragraph
5 c, Code 2015, is amended to read as follows:
6 c. Except as otherwise provided in subsection 97,
7 this exemption does not apply to the sales price from
8 games of skill, games of chance, ~~raffles~~, and bingo
9 games as defined in chapter 99B, and does not apply to
10 the sales price from a raffle as defined in chapter
11 99B unless the gross receipts from the raffle will
12 exceed one hundred thousand dollars. This exemption is
13 disallowed on the amount of the sales price only to the
14 extent the profits from the sales, rental, or services
15 are not used by or donated to the appropriate entity
16 and expended for educational, religious, or charitable
17 purposes.>
18 2. Page 50, after line 24 by inserting:
19 <Sec. _____. EFFECTIVE DATE. The following provision
20 or provisions of this division of this Act, being
21 deemed of immediate importance, take effect upon
22 enactment:
23 1. The section of this division of this Act
24 amending section 423.3, subsection 78.>
25 3. Title page, line 1, after <gambling> by
26 inserting <, including a sales tax exemption and
27 effective date provisions,>
28 4. By renumbering as necessary.

By DUNKEL of Dubuque

H-1261 FILED APRIL 29, 2015

SENATE FILE 494

H-1270

1 Amend Senate File 494, as passed by the Senate, as
2 follows:

3 1. By striking everything after the enacting clause
4 and inserting:

<DIVISION I

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

GENERAL APPROPRIATION FOR FY 2015-2016

8 Section 1. GENERAL FUND ---- DEPARTMENT.

9 1. There is appropriated from the general fund of
10 the state to the department of agriculture and land
11 stewardship for the fiscal year beginning July 1, 2015,
12 and ending June 30, 2016, the following amount, or
13 so much thereof as is necessary, to be used for the
14 purposes designated:

15 For purposes of supporting the department, including
16 its divisions, for administration, regulation, and
17 programs; for salaries, support, maintenance, and
18 miscellaneous purposes; and for not more than the
19 following full-time equivalent positions:

20 \$ 17,405,804
21 FTEs 372.00

22 2. Of the amount appropriated in subsection 1,
23 the following amount is transferred to Iowa state
24 university of science and technology, to be used
25 for the university's midwest grape and wine industry
26 institute:

27 \$ 288,000

28 3. The department shall submit a report each
29 quarter of the fiscal year to the legislative services
30 agency, the department of management, the members of
31 the joint appropriations subcommittee on agriculture
32 and natural resources, and the chairpersons and
33 ranking members of the senate and house committees on
34 appropriations. The report shall describe in detail
35 the expenditure of moneys appropriated in this section
36 to support the department's administration, regulation,
37 and programs.

DESIGNATED APPROPRIATIONS

MISCELLANEOUS FUNDS

40 Sec. 2. UNCLAIMED PARI-MUTUEL WAGERING WINNINGS ----
41 HORSE AND DOG RACING. There is appropriated from the
42 moneys available under section 99D.13 to the department
43 of agriculture and land stewardship for the fiscal year
44 beginning July 1, 2015, and ending June 30, 2016, the
45 following amount, or so much thereof as is necessary,
46 to be used for the purposes designated:

47 For purposes of supporting the department's
48 administration and enforcement of horse and dog racing
49 law pursuant to section 99D.22, including for salaries,
50 support, maintenance, and miscellaneous purposes:

H-1270

1 \$ 305,516
2 Sec. 3. RENEWABLE FUEL INFRASTRUCTURE FUND ---- MOTOR
3 FUEL INSPECTION.

4 1. There is appropriated from the renewable fuel
5 infrastructure fund created in section 159A.16 to the
6 department of agriculture and land stewardship for the
7 fiscal year beginning July 1, 2015, and ending June 30,
8 2016, the following amount, or so much thereof as is
9 necessary, to be used for the purposes designated:

10 For purposes of the inspection of motor fuel,
11 including salaries, support, maintenance, and
12 miscellaneous purposes:

13 \$ 500,000

14 2. The department shall establish and administer
15 programs for the auditing of motor fuel including
16 biofuel processing and production plants, for screening
17 and testing motor fuel, including renewable fuel,
18 and for the inspection of motor fuel sold by dealers
19 including retail dealers who sell and dispense motor
20 fuel from motor fuel pumps.

21 SPECIAL APPROPRIATIONS

22 GENERAL FUND

23 Sec. 4. DAIRY REGULATION.

24 1. There is appropriated from the general fund of
25 the state to the department of agriculture and land
26 stewardship for the fiscal year beginning July 1, 2015,
27 and ending June 30, 2016, the following amount, or
28 so much thereof as is necessary, to be used for the
29 purposes designated:

30 For purposes of performing functions pursuant to
31 section 192.109, including conducting a survey of grade
32 "A" milk and certifying the results to the secretary
33 of agriculture:

34 \$ 189,196

35 2. Notwithstanding section 8.33, moneys
36 appropriated in this section that remain unencumbered
37 or unobligated at the close of the fiscal year shall
38 not revert but shall remain available to be used
39 for the purposes designated until the close of the
40 succeeding fiscal year.

41 Sec. 5. LOCAL FOOD AND FARM PROGRAM.

42 1. There is appropriated from the general fund of
43 the state to the department of agriculture and land
44 stewardship for the fiscal year beginning July 1, 2015,
45 and ending June 30, 2016, the following amount, or
46 so much thereof as is necessary, to be used for the
47 purposes designated:

48 For purposes of supporting the local food and farm
49 program pursuant to chapter 267A:

50 \$ 75,000

1 2. The department shall enter into a cost-sharing
2 agreement with Iowa state university of science and
3 technology to support the local food and farm program
4 coordinator position as part of the university's
5 cooperative extension service in agriculture and home
6 economics pursuant to chapter 267A.

7 3. Notwithstanding section 8.33, moneys
8 appropriated in this section that remain unencumbered
9 or unobligated at the close of the fiscal year shall
10 not revert but shall remain available to be used
11 for the purposes designated until the close of the
12 succeeding fiscal year.

13 Sec. 6. AGRICULTURAL EDUCATION.

14 1. There is appropriated from the general fund of
15 the state to the department of agriculture and land
16 stewardship for the fiscal year beginning July 1, 2015,
17 and ending June 30, 2016, the following amount, or
18 so much thereof as is necessary, to be used for the
19 purposes designated:

20 For purposes of allocating moneys to an Iowa
21 association affiliated with a national organization
22 which promotes agricultural education providing for
23 future farmers:

24 \$ 25,000

25 2. Notwithstanding section 8.33, moneys
26 appropriated for the fiscal year beginning July 1,
27 2015, in this section that remain unencumbered or
28 unobligated at the close of the fiscal year shall not
29 revert but shall remain available to be used for the
30 purposes designated until the close of the succeeding
31 fiscal year.

32 Sec. 7. FARMERS WITH DISABILITIES PROGRAM.

33 1. There is appropriated from the general fund of
34 the state to the department of agriculture and land
35 stewardship for the fiscal year beginning July 1, 2015,
36 and ending June 30, 2016, the following amount, or
37 so much thereof as is necessary, to be used for the
38 purposes designated:

39 For purposes of supporting a program for farmers
40 with disabilities:

41 \$ 130,000

42 2. The moneys appropriated in subsection 1 shall
43 be used for the public purpose of providing a grant to
44 a national nonprofit organization with over 80 years
45 of experience in assisting children and adults with
46 disabilities and special needs. The moneys shall
47 be used to support a nationally recognized program
48 that began in 1986 and has been replicated in at
49 least 30 other states, but which is not available
50 through any other entity in this state, and that

1 provides assistance to farmers with disabilities in
2 all 99 counties to allow the farmers to remain in
3 their own homes and be gainfully engaged in farming
4 through provision of agricultural worksite and home
5 modification consultations, peer support services,
6 services to families, information and referral, and
7 equipment loan services.

8 3. Notwithstanding section 8.33, moneys
9 appropriated in this section that remain unencumbered
10 or unobligated at the close of the fiscal year shall
11 not revert but shall remain available for expenditure
12 for the purposes designated until the close of the
13 succeeding fiscal year.

14 DIVISION II
15 GENERAL FUND
16 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
17 WATER QUALITY INITIATIVE
18 APPROPRIATIONS FOR FY 2015-2016

19 Sec. 8. WATER QUALITY INITIATIVE ---- GENERAL.

20 1. There is appropriated from the general fund of
21 the state to the department of agriculture and land
22 stewardship for the fiscal year beginning July 1, 2015,
23 and ending June 30, 2016, the following amount, or
24 so much thereof as is necessary, to be used for the
25 purposes designated:

26 For deposit in the water quality initiative fund
27 created in section 466B.45, for purposes of supporting
28 the water quality initiative administered by the
29 soil conservation division as provided in section
30 466B.42, including salaries, support, maintenance,
31 and miscellaneous purposes, and for not more than the
32 following full-time equivalent positions:

33	\$	4,400,000
34	FTEs	2.00

35 2. a. The moneys appropriated in subsection 1
36 shall be used to support projects in subwatersheds
37 as designated by the division that are part of
38 high-priority watersheds identified by the water
39 resources coordinating council established pursuant to
40 section 466B.3.

41 b. The moneys appropriated in subsection 1 shall
42 be used to support projects in watersheds generally,
43 including regional watersheds, as designated by the
44 division and high-priority watersheds identified by
45 the water resources coordinating council established
46 pursuant to section 466B.3.

47 3. In supporting projects in subwatersheds and
48 watersheds as provided in subsection 2, all of the
49 following shall apply:

50 a. The demonstration projects shall utilize water

1 quality practices as described in the latest revision
2 of the document entitled "Iowa Nutrient Reduction
3 Strategy" initially presented in November 2012 by
4 the department of agriculture and land stewardship,
5 the department of natural resources, and Iowa state
6 university of science and technology.

7 b. The division shall implement demonstration
8 projects as provided in paragraph "a" by providing for
9 participation by persons who hold a legal interest in
10 agricultural land used in farming. To every extent
11 practical, the division shall provide for collaborative
12 participation by such persons who hold a legal
13 interest in agricultural land located within the same
14 subwatershed.

15 c. The division shall implement a demonstration
16 project on a cost-share basis as determined by the
17 division. However, the state's share of the amount
18 shall not exceed 50 percent of the estimated cost of
19 establishing the practice as determined by the division
20 or 50 percent of the actual cost of establishing the
21 practice, whichever is less.

22 d. The demonstration projects shall be used to
23 educate other persons about the feasibility and value
24 of establishing similar water quality practices. The
25 division shall promote field day events for purposes of
26 allowing interested persons to establish water quality
27 practices on their agricultural land.

28 e. The division shall conduct water quality
29 evaluations within supported subwatersheds. Within
30 a reasonable period after accumulating information
31 from such evaluations, the division shall create an
32 aggregated database of water quality practices. Any
33 information identifying a person holding a legal
34 interest in agricultural land or specific agricultural
35 land shall be a confidential record under section 22.7.

36 4. The moneys appropriated in subsection 1 shall
37 be used to support education and outreach in a manner
38 that encourages persons who hold a legal interest in
39 agricultural land used for farming to implement water
40 quality practices, including the establishment of such
41 practices in watersheds generally, and not limited to
42 subwatersheds or high-priority watersheds.

43 5. The moneys appropriated in subsection 1 may
44 be used to contract with persons to coordinate the
45 implementation of efforts provided in this section.

46 6. The moneys appropriated in subsection 1 may
47 be used by the department to support urban soil and
48 water conservation efforts, which may include but
49 are not limited to management practices related to
50 bioretention, landscaping, the use of permeable or

1 pervious pavement, and soil quality restoration. The
2 moneys shall be allocated on a cost-share basis as
3 provided in chapter 161A.

4 7. Notwithstanding any other provision of law
5 to the contrary, the department may use moneys
6 appropriated in subsection 1 to carry out the
7 provisions of this section on a cost-share basis
8 in combination with other moneys available to the
9 department from a state or federal source.

10 8. Not more than 10 percent of the moneys
11 appropriated in this section may be used to pay
12 for the costs of administering and implementing the
13 water quality initiative by the department's soil
14 conservation division as provided in section 466B.42
15 and this section.

16 DIVISION III

17 DEPARTMENT OF NATURAL RESOURCES

18 GENERAL APPROPRIATIONS FOR FY 2015-2016

19 Sec. 9. GENERAL FUND ---- DEPARTMENT.

20 1. There is appropriated from the general fund of
21 the state to the department of natural resources for
22 the fiscal year beginning July 1, 2015, and ending June
23 30, 2016, the following amount, or so much thereof as
24 is necessary, to be used for the purposes designated:

25 For purposes of supporting the department, including
26 its divisions, for administration, regulation, and
27 programs; for salaries, support, maintenance, and
28 miscellaneous purposes; and for not more than the
29 following full-time equivalent positions:

30 \$ 12,500,000
31 FTEs 1,145.95

32 2. Of the number of full-time equivalent positions
33 authorized to the department pursuant to subsection 1,
34 50.00 full-time equivalent positions shall be allocated
35 by the department for seasonal employees for purposes
36 of providing maintenance, upkeep, and sanitary services
37 at state parks. This subsection shall not impact park
38 ranger positions within the department.

39 3. The department shall submit a report each
40 quarter of the fiscal year to the legislative services
41 agency, the department of management, the members of
42 the joint appropriations subcommittee on agriculture
43 and natural resources, and the chairpersons and
44 ranking members of the senate and house committees on
45 appropriations. The report shall describe in detail
46 the expenditure of moneys appropriated under this
47 section to support the department's administration,
48 regulation, and programs.

49 Sec. 10. STATE FISH AND GAME PROTECTION FUND ----
50 REGULATION AND ADVANCEMENT OF OUTDOOR ACTIVITIES.

1 1. There is appropriated from the state fish and
2 game protection fund to the department of natural
3 resources for the fiscal year beginning July 1, 2015,
4 and ending June 30, 2016, the following amount, or
5 so much thereof as is necessary, to be used for the
6 purposes designated:

7 For purposes of supporting the regulation or
8 advancement of hunting, fishing, or trapping, or the
9 protection, propagation, restoration, management,
10 or harvest of fish or wildlife, including for
11 administration, regulation, law enforcement, and
12 programs; and for salaries, support, maintenance,
13 equipment, and miscellaneous purposes:

14 \$ 41,223,225

15 2. Notwithstanding section 455A.10, the department
16 may use the unappropriated balance remaining in the
17 state fish and game protection fund to provide for the
18 funding of health and life insurance premium payments
19 from unused sick leave balances of conservation peace
20 officers employed in a protection occupation who
21 retire, pursuant to section 97B.49B.

22 3. Notwithstanding section 455A.10, the department
23 of natural resources may use the unappropriated
24 balance remaining in the state fish and game protection
25 fund for the fiscal year beginning July 1, 2015, and
26 ending June 30, 2016, as is necessary to fund salary
27 adjustments for departmental employees for which
28 the general assembly has made an operating budget
29 appropriation in subsection 1.

30 Sec. 11. GROUNDWATER PROTECTION FUND ---- WATER
31 QUALITY. There is appropriated from the groundwater
32 protection fund created in section 455E.11 to the
33 department of natural resources for the fiscal year
34 beginning July 1, 2015, and ending June 30, 2016, from
35 those moneys which are not allocated pursuant to that
36 section, the following amount, or so much thereof as is
37 necessary, to be used for the purposes designated:

38 For purposes of supporting the department's
39 protection of the state's groundwater, including
40 for administration, regulation, and programs, and
41 for salaries, support, maintenance, equipment, and
42 miscellaneous purposes:

43 \$ 3,455,832

44 DESIGNATED APPROPRIATIONS

45 MISCELLANEOUS FUNDS

46 Sec. 12. SPECIAL SNOWMOBILE FUND ---- SNOWMOBILE
47 PROGRAM. There is appropriated from the special
48 snowmobile fund created under section 321G.7 to the
49 department of natural resources for the fiscal year
50 beginning July 1, 2015, and ending June 30, 2016, the

1 following amount, or so much thereof as is necessary,
2 to be used for the purpose designated:

3 For purposes of administering and enforcing the
4 state snowmobile programs:

5 \$ 100,000

6 Sec. 13. UNASSIGNED REVENUE FUND ---- UNDERGROUND
7 STORAGE TANKS SECTION EXPENSES. There is appropriated
8 from the unassigned revenue fund administered by the
9 Iowa comprehensive petroleum underground storage tank
10 fund board established pursuant to section 455G.4 to
11 the department of natural resources for the fiscal year
12 beginning July 1, 2015, and ending June 30, 2016, the
13 following amount, or so much thereof as is necessary,
14 to be used for the purpose designated:

15 For purposes of paying for administration expenses
16 of the department's underground storage tanks section:

17 \$ 200,000

18 SPECIAL APPROPRIATIONS

19 GENERAL FUND

20 Sec. 14. FLOODPLAIN MANAGEMENT AND DAM SAFETY.

21 1. There is appropriated from the general fund of
22 the state to the department of natural resources for
23 the fiscal year beginning July 1, 2015, and ending June
24 30, 2016, the following amount, or so much thereof as
25 is necessary, to be used for the purpose designated:

26 For purposes of supporting floodplain management and
27 dam safety:

28 \$ 1,950,000

29 2. Of the amount appropriated in subsection 1, up
30 to \$400,000 may be used by the department to acquire
31 or install stream gages for purposes of tracking and
32 predicting flood events and for compiling necessary
33 data to improve flood frequency analysis.

34 3. Notwithstanding section 8.33, moneys
35 appropriated in subsection 1 that remain unencumbered
36 or unobligated at the close of the fiscal year shall
37 not revert but shall remain available for expenditure
38 for the purposes designated until the close of the
39 succeeding fiscal year.

40 DIVISION IV

41 IOWA STATE UNIVERSITY

42 SPECIAL GENERAL FUND AND GROUNDWATER PROTECTION FUND

43 APPROPRIATIONS FOR FY 2015-2016

44 VETERINARY DIAGNOSTIC LABORATORY

45 Sec. 15. VETERINARY DIAGNOSTIC LABORATORY.

46 1. There is appropriated from the general fund
47 of the state to Iowa state university of science and
48 technology for the fiscal year beginning July 1, 2015,
49 and ending June 30, 2016, the following amount, or
50 so much thereof as is necessary, to be used for the

1 purposes designated:

2 For purposes of supporting the college of veterinary
3 medicine for the operation of the veterinary diagnostic
4 laboratory and for not more than the following
5 full-time equivalent positions:

6 \$ 4,000,000

7 FTEs 51.00

8 2. a. Iowa state university of science and
9 technology shall not reduce the amount that it
10 allocates to support the college of veterinary medicine
11 from any other source due to the appropriation made in
12 this section.

13 b. Paragraph "a" does not apply to a reduction made
14 to support the college of veterinary medicine, if the
15 same percentage of reduction imposed on the college
16 of veterinary medicine is also imposed on all of Iowa
17 state university of science and technology's budget
18 units.

19 3. If by June 30, 2016, Iowa state university
20 of science and technology fails to allocate the
21 moneys appropriated in this section to the college of
22 veterinary medicine in accordance with this section,
23 the moneys appropriated in this section for that fiscal
24 year shall revert to the general fund of the state.

25 WATER QUALITY INITIATIVE

26 Sec. 16. IOWA NUTRIENT RESEARCH CENTER.

27 1. There is appropriated from the general fund
28 of the state to Iowa state university of science and
29 technology for the fiscal year beginning July 1, 2015,
30 and ending June 30, 2016, the following amount, or
31 so much thereof as is necessary, to be used for the
32 purposes designated:

33 For purposes of supporting an Iowa nutrient research
34 center as established in section 466B.47:

35 \$ 1,325,000

36 2. Notwithstanding section 8.33, moneys
37 appropriated in this section that remain unencumbered
38 or unobligated at the close of the fiscal year shall
39 not revert but shall remain available for expenditure
40 for the purposes designated until the close of the
41 succeeding fiscal year.

42 Sec. 17. DATA COLLECTION OF IN-FIELD AGRICULTURAL
43 PRACTICES ---- THREE-YEAR PILOT PROJECT.

44 1. Notwithstanding section 455E.11, subsection 2,
45 paragraph b, subparagraph (3), subparagraph division
46 (b), of the unobligated and unencumbered moneys
47 remaining in the agriculture management account of the
48 groundwater protection fund that would otherwise be
49 required to be transferred to the Iowa department of
50 public health under that subparagraph division, there

1 is appropriated to Iowa state university of science
2 and technology for the fiscal year beginning July 1,
3 2015, and ending June 30, 2016, the following amount,
4 or so much thereof as is necessary, to be used for the
5 purposes designated:

6 a. For use by the university's college of
7 agriculture and life sciences for purposes of
8 supporting a three-year data collection of in-field
9 practices project:

10 \$ 1,230,000

11 b. Notwithstanding section 8.33, moneys
12 appropriated in paragraph "a" that remain unencumbered
13 or unobligated at the close of the fiscal year shall
14 not revert but shall remain available for expenditure
15 for the purposes designated until the close of the
16 fiscal year beginning July 1, 2017.

17 2. The three-year project shall be used to do all
18 of the following:

19 a. Enhance this state's ability to track its
20 progress in reducing the transport of nutrients to
21 water from nonpoint sources within watersheds in
22 accordance with the latest revision of the document
23 entitled "Iowa Nutrient Reduction Strategy" initially
24 presented in November 2012 by the department of
25 agriculture and land stewardship, the department of
26 natural resources, and Iowa state university of science
27 and technology.

28 b. Develop a database of in-field agricultural
29 practices and analyze the impact of those practices
30 in the aggregate. An agricultural practice includes
31 but is not limited to soil and water conservation
32 practices, structures, technologies, and agricultural
33 inputs and outputs. The college may also provide
34 for the measurement of other impacts associated with
35 agricultural production. The finding of the pilot
36 project shall be used to develop a system to be
37 implemented within a broader range of watersheds that
38 measures existing agricultural practices and the impact
39 of different nutrient management decisions.

40 3. The college shall enter into a private-public
41 partnership with one or more persons responsible for
42 receiving, collecting, or holding data described in
43 subsection 2. The college shall provide for the terms
44 and conditions of any legal or financial arrangement
45 that it enters into with such person. Any information
46 received, collected, or held by the person shall
47 be confidential in the same manner as provided in
48 section 466B.49, subsection 2. The college shall
49 only enter into an arrangement with a person if the
50 college is satisfied that the person will protect the

1 confidentiality of the information. Any information
2 including aggregate data transmitted to the college by
3 the person shall be available for public examination
4 and copying under chapter 22, except for the same type
5 of information described in section 466B.49, subsection
6 2, which shall remain confidential.

7 4. The college shall submit interim reports to the
8 general assembly by March 1, 2016, and March 1, 2017,
9 and a final report to the general assembly by March 1,
10 2018. The final report shall include its findings and
11 recommendations.

12 DIVISION V

13 ENVIRONMENT FIRST FUND

14 GENERAL APPROPRIATIONS FOR FY 2015-2016

15 Sec. 18. DEPARTMENT OF AGRICULTURE AND LAND
16 STEWARDSHIP. There is appropriated from the
17 environment first fund created in section 8.57A to the
18 department of agriculture and land stewardship for the
19 fiscal year beginning July 1, 2015, and ending June 30,
20 2016, the following amounts, or so much thereof as is
21 necessary, to be used for the purposes designated:

22 1. CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP)

23 a. For the conservation reserve enhancement program
24 to restore and construct wetlands for the purposes of
25 intercepting tile line runoff, reducing nutrient loss,
26 improving water quality, and enhancing agricultural
27 production practices:

28 \$ 1,000,000

29 b. Not more than 10 percent of the moneys
30 appropriated in paragraph "a" may be used for costs of
31 administration and implementation of soil and water
32 conservation practices.

33 c. Notwithstanding any other provision in law,
34 the department may use moneys appropriated in this
35 subsection, in combination with other appropriate
36 environment first fund appropriations, for cost sharing
37 to match United States department of agriculture,
38 natural resources conservation service, wetlands
39 reserve enhancement program (WREP) funding available
40 to Iowa.

41 2. WATERSHED PROTECTION

42 a. For continuation of a program that provides
43 multiobjective resource protections for flood control,
44 water quality, erosion control, and natural resource
45 conservation:

46 \$ 900,000

47 b. Not more than 10 percent of the moneys
48 appropriated in paragraph "a" may be used for costs of
49 administration and implementation of soil and water
50 conservation practices.

1 3. FARM MANAGEMENT DEMONSTRATION PROGRAM
2 a. For continuation of a statewide voluntary farm
3 management demonstration program to demonstrate the
4 effectiveness and adaptability of emerging practices in
5 agronomy that protect water resources and provide other
6 environmental benefits:
7 \$ 625,000
8 b. Not more than 10 percent of the moneys
9 appropriated in paragraph "a" may be used for costs of
10 administration and implementation of soil and water
11 conservation practices.
12 c. Of the amount appropriated in paragraph "a",
13 \$400,000 shall be allocated to an organization
14 representing soybean growers to provide for an
15 agriculture and environment performance program in
16 order to carry out the purposes of this subsection as
17 specified in paragraph "a".
18 4. SOIL AND WATER CONSERVATION ---- ADMINISTRATION
19 For use by the department for costs of
20 administration and implementation of soil and water
21 conservation practices:
22 \$ 3,550,000
23 5. CONSERVATION RESERVE PROGRAM (CRP)
24 a. To encourage and assist farmers in enrolling
25 in and the implementation of the federal conservation
26 reserve program and to work with them to enhance their
27 revegetation efforts to improve water quality and
28 habitat:
29 \$ 1,000,000
30 b. Not more than 10 percent of the moneys
31 appropriated in paragraph "a" may be used for costs of
32 administration and implementation of soil and water
33 conservation practices.
34 6. SOIL AND WATER CONSERVATION
35 a. For use by the department in providing for soil
36 and water conservation administration, the conservation
37 of soil and water resources, or the support of soil and
38 water conservation districts:
39 \$ 7,000,000
40 b. Of the amount appropriated in paragraph "a"
41 that the department allocates to a soil and water
42 conservation district, the first \$15,000 may be
43 expended by the district for the purpose of providing
44 financial incentives under section 161A.73 to establish
45 management practices for the control of soil erosion
46 on land that is row-cropped, including but not
47 limited to nontill planting, ridge-till planting, and
48 contouring strip-cropping. Of any remaining amount of
49 that appropriation allocated by the department to a
50 district, 30 percent may be expended by the district

1 for that same purpose.

2 c. Not more than 5 percent of the moneys
3 appropriated in paragraph "a" may be allocated for
4 cost sharing to address complaints filed under section
5 161A.47.

6 d. Of the moneys appropriated in paragraph "a",
7 5 percent shall be allocated for financial incentives
8 to establish practices to protect watersheds above
9 publicly owned lakes of the state from soil erosion and
10 sediment as provided in section 161A.73.

11 e. The state soil conservation committee
12 established by section 161A.4 may allocate moneys
13 appropriated in paragraph "a" to conduct research and
14 demonstration projects to promote conservation tillage
15 and nonpoint source pollution control practices.

16 f. The allocation of moneys as financial incentives
17 as provided in section 161A.73 may be used in
18 combination with moneys allocated by the department of
19 natural resources.

20 g. Not more than 15 percent of the moneys
21 appropriated in paragraph "a" may be used for costs of
22 administration and implementation of soil and water
23 conservation practices.

24 h. In lieu of moneys appropriated in section
25 466A.5, not more than \$50,000 of the moneys
26 appropriated in paragraph "a" shall be used by the soil
27 conservation division of the department of agriculture
28 and land stewardship to provide administrative support
29 to the watershed improvement review board established
30 in section 466A.3.

31 7. LOESS HILLS DEVELOPMENT AND CONSERVATION FUND

32 a. For deposit in the loess hills development and
33 conservation fund created in section 161D.2:

34 \$ 600,000

35 b. (1) Of the amount appropriated in paragraph
36 "a", \$450,000 shall be allocated to the fund's hungry
37 canyons account.

38 (2) Not more than 10 percent of the moneys
39 allocated to the hungry canyons account as provided in
40 subparagraph (1) may be used for administrative costs.

41 c. (1) Of the amount appropriated in paragraph
42 "a", \$150,000 shall be allocated to the fund's loess
43 hills alliance account.

44 (2) Not more than 10 percent of the moneys
45 allocated to the loess hills alliance account
46 as provided in subparagraph (1) may be used for
47 administrative costs.

48 Sec. 19. DEPARTMENT OF NATURAL RESOURCES. There is
49 appropriated from the environment first fund created in
50 section 8.57A to the department of natural resources

1 for the fiscal year beginning July 1, 2015, and ending
2 June 30, 2016, the following amounts, or so much
3 thereof as is necessary, to be used for the purposes
4 designated:

5 1. STATE PARKS MAINTENANCE AND OPERATIONS
6 For regular maintenance and operations of state
7 parks and staff time associated with these activities:
8 \$ 7,035,000

9 2. GEOGRAPHIC INFORMATION SYSTEM (GIS)
10 To provide local watershed managers with geographic
11 information system data for their use in developing,
12 monitoring, and displaying results of their watershed
13 work:
14 \$ 195,000

15 3. WATER QUALITY MONITORING
16 For continuing the establishment and operation of
17 water quality monitoring stations:
18 \$ 2,955,000

19 4. PUBLIC WATER SUPPLY SYSTEM ACCOUNT
20 For deposit in the public water supply system
21 account of the water quality protection fund created
22 in section 455B.183A:
23 \$ 500,000

24 5. REGULATION OF ANIMAL FEEDING OPERATIONS
25 For the regulation of animal feeding operations,
26 including as provided for in chapters 459 through 459B:
27 \$ 1,320,000

28 6. AMBIENT AIR QUALITY
29 For the abatement, control, and prevention of
30 ambient air pollution in this state, including measures
31 as necessary to assure attainment and maintenance of
32 ambient air quality standards from particulate matter:
33 \$ 425,000

34 7. WATER QUANTITY REGULATION
35 For regulating water quantity from surface and
36 subsurface sources by providing for the allocation and
37 use of water resources, the protection and management
38 of water resources, and the preclusion of conflicts
39 among users of water resources, including as provided
40 in chapter 455B, division III, part 4:
41 \$ 495,000

42 8. GEOLOGICAL AND WATER SURVEY
43 For continuing the operations of the department's
44 geological and water survey including but not limited
45 to providing analysis, data collection, investigative
46 programs, and information for water supply development
47 and protection:
48 \$ 200,000

49 9. KEEP IOWA BEAUTIFUL INITIATIVE
50 For purposes of supporting a keep Iowa beautiful

1 initiative in order to assist communities in developing
2 and implementing beautification and community
3 development plans:

4 \$ 200,000

5 10. FORESTRY HEALTH MANAGEMENT PROGRAMS

6 For purposes of providing forestry health management
7 programs:

8 \$ 500,000

9 Sec. 20. REVERSION.

10 1. Except as provided in subsection 2, and
11 notwithstanding section 8.33, moneys appropriated
12 for the fiscal year beginning July 1, 2015, in this
13 division of this Act that remain unencumbered or
14 unobligated at the close of the fiscal year shall
15 not revert but shall remain available to be used
16 for the purposes designated until the close of the
17 succeeding fiscal year, or until the project for which
18 the appropriation was made is completed, whichever is
19 earlier.

20 2. Notwithstanding section 8.33, moneys
21 appropriated for the fiscal year beginning July 1,
22 2015, in this division of this Act to the department of
23 agriculture and land stewardship to provide financial
24 assistance for the establishment of permanent soil and
25 water conservation practices that remain unencumbered
26 or unobligated at the close of the fiscal year shall
27 not revert but shall remain available for expenditure
28 for the purposes designated until the close of the
29 fiscal year beginning July 1, 2018.

30 DIVISION VI

31 ENVIRONMENT FIRST FUND

32 SPECIAL APPROPRIATION FOR FY 2015-2016

33 Sec. 21. REAP ---- IN LIEU OF GENERAL FUND

34 APPROPRIATION. Notwithstanding the amount of the
35 standing appropriation from the general fund of
36 the state to the Iowa resources enhancement and
37 protection fund as provided in section 455A.18, there
38 is appropriated from the environment first fund created
39 in section 8.57A to the Iowa resources enhancement and
40 protection fund, in lieu of the appropriation made in
41 section 455A.18, for the fiscal year beginning July 1,
42 2015, and ending June 30, 2016, the following amount,
43 to be allocated as provided in section 455A.19:

44 \$ 13,500,000

45 DIVISION VII

46 PERSONNEL SETTLEMENT AGREEMENT PAYMENTS

47 Sec. 22. PERSONNEL SETTLEMENT AGREEMENT

48 PAYMENTS. As a condition made to any appropriation to
49 the department of agriculture and land stewardship,
50 the department of natural resources, or Iowa state

1 university of science and technology for the fiscal
2 year beginning July 1, 2015, and ending June 30, 2016,
3 as provided in this Act, the moneys appropriated and
4 any other moneys available for use by that entity for
5 that fiscal year under this Act shall not be used
6 for the payment of a personnel settlement agreement
7 between that entity and a state employee that contains
8 a confidentiality provision intended to prevent
9 public disclosure of the agreement or any terms of the
10 agreement.

11 DIVISION VIII

12 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

13 GENERAL APPROPRIATION FOR FY 2016-2017

14 Sec. 23. GENERAL FUND ---- DEPARTMENT.

15 1. There is appropriated from the general fund of
16 the state to the department of agriculture and land
17 stewardship for the fiscal year beginning July 1, 2016,
18 and ending June 30, 2017, the following amount, or
19 so much thereof as is necessary, to be used for the
20 purposes designated:

21 For purposes of supporting the department, including
22 its divisions, for administration, regulation, and
23 programs; for salaries, support, maintenance, and
24 miscellaneous purposes; and for not more than the
25 following full-time equivalent positions:

26	\$	8,702,902
27	FTEs	372.00

28 2. Of the amount appropriated in subsection 1,
29 the following amount is transferred to Iowa state
30 university of science and technology, to be used
31 for the university's midwest grape and wine industry
32 institute:

33	\$	144,000
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34 3. The department shall submit a report each
35 quarter of the fiscal year to the legislative services
36 agency, the department of management, the members of
37 the joint appropriations subcommittee on agriculture
38 and natural resources, and the chairpersons and
39 ranking members of the senate and house committees on
40 appropriations. The report shall describe in detail
41 the expenditure of moneys appropriated in this section
42 to support the department's administration, regulation,
43 and programs.

44 DESIGNATED APPROPRIATIONS

45 MISCELLANEOUS FUNDS

46 Sec. 24. UNCLAIMED PARI-MUTUEL WAGERING WINNINGS ----
47 HORSE AND DOG RACING. There is appropriated from the
48 moneys available under section 99D.13 to the department
49 of agriculture and land stewardship for the fiscal year
50 beginning July 1, 2016, and ending June 30, 2017, the

1 following amount, or so much thereof as is necessary,
2 to be used for the purposes designated:

3 For purposes of supporting the department's
4 administration and enforcement of horse and dog racing
5 law pursuant to section 99D.22, including for salaries,
6 support, maintenance, and miscellaneous purposes:

7 \$ 152,758

8 Sec. 25. RENEWABLE FUEL INFRASTRUCTURE FUND ----

9 MOTOR FUEL INSPECTION.

10 1. There is appropriated from the renewable fuel
11 infrastructure fund created in section 159A.16 to the
12 department of agriculture and land stewardship for the
13 fiscal year beginning July 1, 2016, and ending June 30,
14 2017, the following amount, or so much thereof as is
15 necessary, to be used for the purposes designated:

16 For purposes of the inspection of motor fuel,
17 including salaries, support, maintenance, and
18 miscellaneous purposes:

19 \$ 250,000

20 2. The department shall establish and administer
21 programs for the auditing of motor fuel including
22 biofuel processing and production plants, for screening
23 and testing motor fuel, including renewable fuel,
24 and for the inspection of motor fuel sold by dealers
25 including retail dealers who sell and dispense motor
26 fuel from motor fuel pumps.

27 SPECIAL APPROPRIATIONS

28 GENERAL FUND

29 Sec. 26. DAIRY REGULATION.

30 1. There is appropriated from the general fund of
31 the state to the department of agriculture and land
32 stewardship for the fiscal year beginning July 1, 2016,
33 and ending June 30, 2017, the following amount, or
34 so much thereof as is necessary, to be used for the
35 purposes designated:

36 For purposes of performing functions pursuant to
37 section 192.109, including conducting a survey of grade
38 "A" milk and certifying the results to the secretary
39 of agriculture:

40 \$ 94,598

41 2. Notwithstanding section 8.33, moneys
42 appropriated in this section that remain unencumbered
43 or unobligated at the close of the fiscal year shall
44 not revert but shall remain available to be used
45 for the purposes designated until the close of the
46 succeeding fiscal year.

47 Sec. 27. LOCAL FOOD AND FARM PROGRAM.

48 1. There is appropriated from the general fund of
49 the state to the department of agriculture and land
50 stewardship for the fiscal year beginning July 1, 2016,

1 and ending June 30, 2017, the following amount, or
2 so much thereof as is necessary, to be used for the
3 purposes designated:

4 For purposes of supporting the local food and farm
5 program pursuant to chapter 267A:

6 \$ 37,500

7 2. The department shall enter into a cost-sharing
8 agreement with Iowa state university of science and
9 technology to support the local food and farm program
10 coordinator position as part of the university's
11 cooperative extension service in agriculture and home
12 economics pursuant to chapter 267A.

13 3. Notwithstanding section 8.33, moneys
14 appropriated in this section that remain unencumbered
15 or unobligated at the close of the fiscal year shall
16 not revert but shall remain available to be used
17 for the purposes designated until the close of the
18 succeeding fiscal year.

19 Sec. 28. AGRICULTURAL EDUCATION.

20 1. There is appropriated from the general fund of
21 the state to the department of agriculture and land
22 stewardship for the fiscal year beginning July 1, 2016,
23 and ending June 30, 2017, the following amount, or
24 so much thereof as is necessary, to be used for the
25 purposes designated:

26 For purposes of allocating moneys to an Iowa
27 association affiliated with a national organization
28 which promotes agricultural education providing for
29 future farmers:

30 \$ 12,500

31 2. Notwithstanding section 8.33, moneys
32 appropriated for the fiscal year beginning July 1,
33 2016, in this section that remain unencumbered or
34 unobligated at the close of the fiscal year shall not
35 revert but shall remain available to be used for the
36 purposes designated until the close of the succeeding
37 fiscal year.

38 Sec. 29. FARMERS WITH DISABILITIES PROGRAM.

39 1. There is appropriated from the general fund of
40 the state to the department of agriculture and land
41 stewardship for the fiscal year beginning July 1, 2016,
42 and ending June 30, 2017, the following amount, or
43 so much thereof as is necessary, to be used for the
44 purposes designated:

45 For purposes of supporting a program for farmers
46 with disabilities:

47 \$ 65,000

48 2. The moneys appropriated in subsection 1 shall
49 be used for the public purpose of providing a grant to
50 a national nonprofit organization with over 80 years

1 of experience in assisting children and adults with
2 disabilities and special needs. The moneys shall
3 be used to support a nationally recognized program
4 that began in 1986 and has been replicated in at
5 least 30 other states, but which is not available
6 through any other entity in this state, and that
7 provides assistance to farmers with disabilities in
8 all 99 counties to allow the farmers to remain in
9 their own homes and be gainfully engaged in farming
10 through provision of agricultural worksite and home
11 modification consultations, peer support services,
12 services to families, information and referral, and
13 equipment loan services.

14 3. Notwithstanding section 8.33, moneys
15 appropriated in this section that remain unencumbered
16 or unobligated at the close of the fiscal year shall
17 not revert but shall remain available for expenditure
18 for the purposes designated until the close of the
19 succeeding fiscal year.

20 DIVISION IX

21 GENERAL FUND

22 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

23 WATER QUALITY INITIATIVE

24 APPROPRIATIONS FOR FY 2016-2017

25 Sec. 30. WATER QUALITY INITIATIVE ---- GENERAL.

26 1. There is appropriated from the general fund of
27 the state to the department of agriculture and land
28 stewardship for the fiscal year beginning July 1, 2016,
29 and ending June 30, 2017, the following amount, or
30 so much thereof as is necessary, to be used for the
31 purposes designated:

32 For deposit in the water quality initiative fund
33 created in section 466B.45, for purposes of supporting
34 the water quality initiative administered by the
35 soil conservation division as provided in section
36 466B.42, including salaries, support, maintenance,
37 and miscellaneous purposes, and for not more than the
38 following full-time equivalent positions:

39	\$	2,200,000
40	FTEs	2.00

41 2. a. The moneys appropriated in subsection 1
42 shall be used to support projects in subwatersheds
43 as designated by the division that are part of
44 high-priority watersheds identified by the water
45 resources coordinating council established pursuant to
46 section 466B.3.

47 b. The moneys appropriated in subsection 1 shall
48 be used to support projects in watersheds generally,
49 including regional watersheds, as designated by the
50 division and high-priority watersheds identified by

1 the water resources coordinating council established
2 pursuant to section 466B.3.

3 3. In supporting projects in subwatersheds and
4 watersheds as provided in subsection 2, all of the
5 following shall apply:

6 a. The demonstration projects shall utilize water
7 quality practices as described in the latest revision
8 of the document entitled "Iowa Nutrient Reduction
9 Strategy" initially presented in November 2012 by
10 the department of agriculture and land stewardship,
11 the department of natural resources, and Iowa state
12 university of science and technology.

13 b. The division shall implement demonstration
14 projects as provided in paragraph "a" by providing for
15 participation by persons who hold a legal interest in
16 agricultural land used in farming. To every extent
17 practical, the division shall provide for collaborative
18 participation by such persons who hold a legal
19 interest in agricultural land located within the same
20 subwatershed.

21 c. The division shall implement a demonstration
22 project on a cost-share basis as determined by the
23 division. However, the state's share of the amount
24 shall not exceed 50 percent of the estimated cost of
25 establishing the practice as determined by the division
26 or 50 percent of the actual cost of establishing the
27 practice, whichever is less.

28 d. The demonstration projects shall be used to
29 educate other persons about the feasibility and value
30 of establishing similar water quality practices. The
31 division shall promote field day events for purposes of
32 allowing interested persons to establish water quality
33 practices on their agricultural land.

34 e. The division shall conduct water quality
35 evaluations within supported subwatersheds. Within
36 a reasonable period after accumulating information
37 from such evaluations, the division shall create an
38 aggregated database of water quality practices. Any
39 information identifying a person holding a legal
40 interest in agricultural land or specific agricultural
41 land shall be a confidential record under section 22.7.

42 4. The moneys appropriated in subsection 1 shall
43 be used to support education and outreach in a manner
44 that encourages persons who hold a legal interest in
45 agricultural land used for farming to implement water
46 quality practices, including the establishment of such
47 practices in watersheds generally, and not limited to
48 subwatersheds or high-priority watersheds.

49 5. The moneys appropriated in subsection 1 may
50 be used to contract with persons to coordinate the

1 implementation of efforts provided in this section.
2 6. The moneys appropriated in subsection 1 may
3 be used by the department to support urban soil and
4 water conservation efforts, which may include but
5 are not limited to management practices related to
6 bioretention, landscaping, the use of permeable or
7 pervious pavement, and soil quality restoration. The
8 moneys shall be allocated on a cost-share basis as
9 provided in chapter 161A.

10 7. Notwithstanding any other provision of law
11 to the contrary, the department may use moneys
12 appropriated in subsection 1 to carry out the
13 provisions of this section on a cost-share basis
14 in combination with other moneys available to the
15 department from a state or federal source.

16 8. Not more than 10 percent of the moneys
17 appropriated in this section may be used to pay
18 for the costs of administering and implementing the
19 water quality initiative by the department's soil
20 conservation division as provided in section 466B.42
21 and this section.

22 DIVISION X

23 DEPARTMENT OF NATURAL RESOURCES

24 GENERAL APPROPRIATIONS FOR FY 2016-2017

25 Sec. 31. GENERAL FUND ---- DEPARTMENT.

26 1. There is appropriated from the general fund of
27 the state to the department of natural resources for
28 the fiscal year beginning July 1, 2016, and ending June
29 30, 2017, the following amount, or so much thereof as
30 is necessary, to be used for the purposes designated:

31 For purposes of supporting the department, including
32 its divisions, for administration, regulation, and
33 programs; for salaries, support, maintenance, and
34 miscellaneous purposes; and for not more than the
35 following full-time equivalent positions:

36 \$ 6,250,000
37 FTEs 1,145.95

38 2. Of the number of full-time equivalent positions
39 authorized to the department pursuant to subsection 1,
40 50.00 full-time equivalent positions shall be allocated
41 by the department for seasonal employees for purposes
42 of providing maintenance, upkeep, and sanitary services
43 at state parks. This subsection shall not impact park
44 ranger positions within the department.

45 3. The department shall submit a report each
46 quarter of the fiscal year to the legislative services
47 agency, the department of management, the members of
48 the joint appropriations subcommittee on agriculture
49 and natural resources, and the chairpersons and
50 ranking members of the senate and house committees on

1 appropriations. The report shall describe in detail
2 the expenditure of moneys appropriated under this
3 section to support the department's administration,
4 regulation, and programs.

5 Sec. 32. STATE FISH AND GAME PROTECTION FUND ----
6 REGULATION AND ADVANCEMENT OF OUTDOOR ACTIVITIES.

7 1. There is appropriated from the state fish and
8 game protection fund to the department of natural
9 resources for the fiscal year beginning July 1, 2016,
10 and ending June 30, 2017, the following amount, or
11 so much thereof as is necessary, to be used for the
12 purposes designated:

13 For purposes of supporting the regulation or
14 advancement of hunting, fishing, or trapping, or the
15 protection, propagation, restoration, management,
16 or harvest of fish or wildlife, including for
17 administration, regulation, law enforcement, and
18 programs; and for salaries, support, maintenance,
19 equipment, and miscellaneous purposes:

20 \$ 20,611,613

21 2. Notwithstanding section 455A.10, the department
22 may use the unappropriated balance remaining in the
23 state fish and game protection fund to provide for the
24 funding of health and life insurance premium payments
25 from unused sick leave balances of conservation peace
26 officers employed in a protection occupation who
27 retire, pursuant to section 97B.49B.

28 3. Notwithstanding section 455A.10, the department
29 of natural resources may use the unappropriated
30 balance remaining in the state fish and game protection
31 fund for the fiscal year beginning July 1, 2016, and
32 ending June 30, 2017, as is necessary to fund salary
33 adjustments for departmental employees for which
34 the general assembly has made an operating budget
35 appropriation in subsection 1.

36 Sec. 33. GROUNDWATER PROTECTION FUND ---- WATER
37 QUALITY. There is appropriated from the groundwater
38 protection fund created in section 455E.11 to the
39 department of natural resources for the fiscal year
40 beginning July 1, 2016, and ending June 30, 2017, from
41 those moneys which are not allocated pursuant to that
42 section, the following amount, or so much thereof as is
43 necessary, to be used for the purposes designated:

44 For purposes of supporting the department's
45 protection of the state's groundwater, including
46 for administration, regulation, and programs, and
47 for salaries, support, maintenance, equipment, and
48 miscellaneous purposes:

49 \$ 1,727,916

50 DESIGNATED APPROPRIATIONS

MISCELLANEOUS FUNDS

1
2 Sec. 34. SPECIAL SNOWMOBILE FUND ---- SNOWMOBILE
3 PROGRAM. There is appropriated from the special
4 snowmobile fund created under section 321G.7 to the
5 department of natural resources for the fiscal year
6 beginning July 1, 2016, and ending June 30, 2017, the
7 following amount, or so much thereof as is necessary,
8 to be used for the purpose designated:
9 For purposes of administering and enforcing the
10 state snowmobile programs:
11 \$ 50,000

12 Sec. 35. UNASSIGNED REVENUE FUND ---- UNDERGROUND
13 STORAGE TANKS SECTION EXPENSES. There is appropriated
14 from the unassigned revenue fund administered by the
15 Iowa comprehensive petroleum underground storage tank
16 fund board established pursuant to section 455G.4 to
17 the department of natural resources for the fiscal year
18 beginning July 1, 2016, and ending June 30, 2017, the
19 following amount, or so much thereof as is necessary,
20 to be used for the purpose designated:
21 For purposes of paying for administration expenses
22 of the department's underground storage tanks section:
23 \$ 100,000

24 SPECIAL APPROPRIATIONS

25 GENERAL FUND

26 Sec. 36. FLOODPLAIN MANAGEMENT AND DAM SAFETY.
27 1. There is appropriated from the general fund of
28 the state to the department of natural resources for
29 the fiscal year beginning July 1, 2016, and ending June
30 30, 2017, the following amount, or so much thereof as
31 is necessary, to be used for the purpose designated:
32 For purposes of supporting floodplain management and
33 dam safety:
34 \$ 975,000

35 2. Of the amount appropriated in subsection 1, up
36 to \$200,000 may be used by the department to acquire
37 or install stream gages for purposes of tracking and
38 predicting flood events and for compiling necessary
39 data to improve flood frequency analysis.

40 3. Notwithstanding section 8.33, moneys
41 appropriated in subsection 1 that remain unencumbered
42 or unobligated at the close of the fiscal year shall
43 not revert but shall remain available for expenditure
44 for the purposes designated until the close of the
45 succeeding fiscal year.

46 DIVISION XI

47 IOWA STATE UNIVERSITY

48 SPECIAL GENERAL FUND APPROPRIATIONS FOR FY 2016-2017

49 VETERINARY DIAGNOSTIC LABORATORY

50 Sec. 37. VETERINARY DIAGNOSTIC LABORATORY.

1 1. There is appropriated from the general fund
2 of the state to Iowa state university of science and
3 technology for the fiscal year beginning July 1, 2016,
4 and ending June 30, 2017, the following amount, or
5 so much thereof as is necessary, to be used for the
6 purposes designated:

7 For purposes of supporting the college of veterinary
8 medicine for the operation of the veterinary diagnostic
9 laboratory and for not more than the following
10 full-time equivalent positions:

11 \$ 2,000,000
12 FTEs 51.00

13 2. a. Iowa state university of science and
14 technology shall not reduce the amount that it
15 allocates to support the college of veterinary medicine
16 from any other source due to the appropriation made in
17 this section.

18 b. Paragraph "a" does not apply to a reduction made
19 to support the college of veterinary medicine, if the
20 same percentage of reduction imposed on the college
21 of veterinary medicine is also imposed on all of Iowa
22 state university of science and technology's budget
23 units.

24 3. If by June 30, 2017, Iowa state university
25 of science and technology fails to allocate the
26 moneys appropriated in this section to the college of
27 veterinary medicine in accordance with this section,
28 the moneys appropriated in this section for that fiscal
29 year shall revert to the general fund of the state.

30 WATER QUALITY INITIATIVE

31 Sec. 38. IOWA NUTRIENT RESEARCH CENTER.

32 1. There is appropriated from the general fund
33 of the state to Iowa state university of science and
34 technology for the fiscal year beginning July 1, 2016,
35 and ending June 30, 2017, the following amount, or
36 so much thereof as is necessary, to be used for the
37 purposes designated:

38 For purposes of supporting an Iowa nutrient research
39 center as established in section 466B.47:

40 \$ 662,500

41 2. Notwithstanding section 8.33, moneys
42 appropriated in this section that remain unencumbered
43 or unobligated at the close of the fiscal year shall
44 not revert but shall remain available for expenditure
45 for the purposes designated until the close of the
46 succeeding fiscal year.

47 DIVISION XII

48 ENVIRONMENT FIRST FUND

49 GENERAL APPROPRIATIONS FOR FY 2016-2017

50 Sec. 39. DEPARTMENT OF AGRICULTURE AND LAND

1 STEWARDSHIP. There is appropriated from the
2 environment first fund created in section 8.57A to the
3 department of agriculture and land stewardship for the
4 fiscal year beginning July 1, 2016, and ending June 30,
5 2017, the following amounts, or so much thereof as is
6 necessary, to be used for the purposes designated:
7 1. CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP)
8 a. For the conservation reserve enhancement program
9 to restore and construct wetlands for the purposes of
10 intercepting tile line runoff, reducing nutrient loss,
11 improving water quality, and enhancing agricultural
12 production practices:
13 \$ 500,000
14 b. Not more than 10 percent of the moneys
15 appropriated in paragraph "a" may be used for costs of
16 administration and implementation of soil and water
17 conservation practices.
18 c. Notwithstanding any other provision in law,
19 the department may use moneys appropriated in this
20 subsection, in combination with other appropriate
21 environment first fund appropriations, for cost sharing
22 to match United States department of agriculture,
23 natural resources conservation service, wetlands
24 reserve enhancement program (WREP) funding available
25 to Iowa.
26 2. WATERSHED PROTECTION
27 a. For continuation of a program that provides
28 multiobjective resource protections for flood control,
29 water quality, erosion control, and natural resource
30 conservation:
31 \$ 450,000
32 b. Not more than 10 percent of the moneys
33 appropriated in paragraph "a" may be used for costs of
34 administration and implementation of soil and water
35 conservation practices.
36 3. FARM MANAGEMENT DEMONSTRATION PROGRAM
37 a. For continuation of a statewide voluntary farm
38 management demonstration program to demonstrate the
39 effectiveness and adaptability of emerging practices in
40 agronomy that protect water resources and provide other
41 environmental benefits:
42 \$ 312,500
43 b. Not more than 10 percent of the moneys
44 appropriated in paragraph "a" may be used for costs of
45 administration and implementation of soil and water
46 conservation practices.
47 c. Of the amount appropriated in paragraph "a",
48 \$200,000 shall be allocated to an organization
49 representing soybean growers to provide for an
50 agriculture and environment performance program in

1 order to carry out the purposes of this subsection as
2 specified in paragraph "a".
3 4. SOIL AND WATER CONSERVATION ---- ADMINISTRATION
4 For use by the department for costs of
5 administration and implementation of soil and water
6 conservation practices:
7 \$ 1,775,000
8 5. CONSERVATION RESERVE PROGRAM (CRP)
9 a. To encourage and assist farmers in enrolling
10 in and the implementation of the federal conservation
11 reserve program and to work with them to enhance their
12 revegetation efforts to improve water quality and
13 habitat:
14 \$ 500,000
15 b. Not more than 10 percent of the moneys
16 appropriated in paragraph "a" may be used for costs of
17 administration and implementation of soil and water
18 conservation practices.
19 6. SOIL AND WATER CONSERVATION
20 a. For use by the department in providing for soil
21 and water conservation administration, the conservation
22 of soil and water resources, or the support of soil and
23 water conservation districts:
24 \$ 3,500,000
25 b. Of the amount appropriated in paragraph "a"
26 that the department allocates to a soil and water
27 conservation district, the first \$7,500 may be
28 expended by the district for the purpose of providing
29 financial incentives under section 161A.73 to establish
30 management practices for the control of soil erosion
31 on land that is row-cropped, including but not
32 limited to nontill planting, ridge-till planting, and
33 contouring strip-cropping. Of any remaining amount of
34 that appropriation allocated by the department to a
35 district, 30 percent may be expended by the district
36 for that same purpose.
37 c. Not more than 5 percent of the moneys
38 appropriated in paragraph "a" may be allocated for
39 cost sharing to address complaints filed under section
40 161A.47.
41 d. Of the moneys appropriated in paragraph "a",
42 5 percent shall be allocated for financial incentives
43 to establish practices to protect watersheds above
44 publicly owned lakes of the state from soil erosion and
45 sediment as provided in section 161A.73.
46 e. The state soil conservation committee
47 established by section 161A.4 may allocate moneys
48 appropriated in paragraph "a" to conduct research and
49 demonstration projects to promote conservation tillage
50 and nonpoint source pollution control practices.

1 f. The allocation of moneys as financial incentives
2 as provided in section 161A.73 may be used in
3 combination with moneys allocated by the department of
4 natural resources.

5 g. Not more than 15 percent of the moneys
6 appropriated in paragraph "a" may be used for costs of
7 administration and implementation of soil and water
8 conservation practices.

9 h. In lieu of moneys appropriated in section
10 466A.5, not more than \$25,000 of the moneys
11 appropriated in paragraph "a" shall be used by the soil
12 conservation division of the department of agriculture
13 and land stewardship to provide administrative support
14 to the watershed improvement review board established
15 in section 466A.3.

16 7. LOESS HILLS DEVELOPMENT AND CONSERVATION FUND

17 a. For deposit in the loess hills development and
18 conservation fund created in section 161D.2:

19 \$ 300,000

20 b. (1) Of the amount appropriated in paragraph
21 "a", \$225,000 shall be allocated to the fund's hungry
22 canyons account.

23 (2) Not more than 10 percent of the moneys
24 allocated to the hungry canyons account as provided in
25 subparagraph (1) may be used for administrative costs.

26 c. (1) Of the amount appropriated in paragraph
27 "a", \$75,000 shall be allocated to the fund's loess
28 hills alliance account.

29 (2) Not more than 10 percent of the moneys
30 allocated to the loess hills alliance account
31 as provided in subparagraph (1) may be used for
32 administrative costs.

33 Sec. 40. DEPARTMENT OF NATURAL RESOURCES. There is
34 appropriated from the environment first fund created in
35 section 8.57A to the department of natural resources
36 for the fiscal year beginning July 1, 2016, and ending
37 June 30, 2017, the following amounts, or so much
38 thereof as is necessary, to be used for the purposes
39 designated:

40 1. STATE PARKS MAINTENANCE AND OPERATIONS

41 For regular maintenance and operations of state
42 parks and staff time associated with these activities:

43 \$ 3,517,500

44 2. GEOGRAPHIC INFORMATION SYSTEM (GIS)

45 To provide local watershed managers with geographic
46 information system data for their use in developing,
47 monitoring, and displaying results of their watershed
48 work:

49 \$ 97,500

50 3. WATER QUALITY MONITORING

1 For continuing the establishment and operation of
2 water quality monitoring stations:
3 \$ 1,477,500
4 4. PUBLIC WATER SUPPLY SYSTEM ACCOUNT
5 For deposit in the public water supply system
6 account of the water quality protection fund created
7 in section 455B.183A:
8 \$ 250,000
9 5. REGULATION OF ANIMAL FEEDING OPERATIONS
10 For the regulation of animal feeding operations,
11 including as provided for in chapters 459 through 459B:
12 \$ 660,000
13 6. AMBIENT AIR QUALITY
14 For the abatement, control, and prevention of
15 ambient air pollution in this state, including measures
16 as necessary to assure attainment and maintenance of
17 ambient air quality standards from particulate matter:
18 \$ 212,500
19 7. WATER QUANTITY REGULATION
20 For regulating water quantity from surface and
21 subsurface sources by providing for the allocation and
22 use of water resources, the protection and management
23 of water resources, and the preclusion of conflicts
24 among users of water resources, including as provided
25 in chapter 455B, division III, part 4:
26 \$ 247,500
27 8. GEOLOGICAL AND WATER SURVEY
28 For continuing the operations of the department's
29 geological and water survey including but not limited
30 to providing analysis, data collection, investigative
31 programs, and information for water supply development
32 and protection:
33 \$ 100,000
34 9. KEEP IOWA BEAUTIFUL INITIATIVE
35 For purposes of supporting a keep Iowa beautiful
36 initiative in order to assist communities in developing
37 and implementing beautification and community
38 development plans:
39 \$ 100,000
40 10. FORESTRY HEALTH MANAGEMENT PROGRAMS
41 For purposes of providing forestry health management
42 programs:
43 \$ 250,000
44 Sec. 41. REVERSION.
45 1. Except as provided in subsection 2, and
46 notwithstanding section 8.33, moneys appropriated
47 for the fiscal year beginning July 1, 2016, in this
48 division of this Act that remain unencumbered or
49 unobligated at the close of the fiscal year shall
50 not revert but shall remain available to be used

1 for the purposes designated until the close of the
2 succeeding fiscal year, or until the project for which
3 the appropriation was made is completed, whichever is
4 earlier.

5 2. Notwithstanding section 8.33, moneys
6 appropriated for the fiscal year beginning July 1,
7 2016, in this division of this Act to the department of
8 agriculture and land stewardship to provide financial
9 assistance for the establishment of permanent soil and
10 water conservation practices that remain unencumbered
11 or unobligated at the close of the fiscal year shall
12 not revert but shall remain available for expenditure
13 for the purposes designated until the close of the
14 fiscal year beginning July 1, 2019.

15 DIVISION XIII

16 PERSONNEL SETTLEMENT AGREEMENT PAYMENTS

17 Sec. 42. PERSONNEL SETTLEMENT AGREEMENT
18 PAYMENTS. As a condition made to any appropriation to
19 the department of agriculture and land stewardship,
20 the department of natural resources, or Iowa state
21 university of science and technology for the fiscal
22 year beginning July 1, 2016, and ending June 30, 2017,
23 as provided in this Act, the moneys appropriated and
24 any other moneys available for use by that entity for
25 that fiscal year under this Act shall not be used
26 for the payment of a personnel settlement agreement
27 between that entity and a state employee that contains
28 a confidentiality provision intended to prevent
29 public disclosure of the agreement or any terms of the
30 agreement.

31 DIVISION XIV

32 RELATED STATUTORY CHANGES FOR CODIFICATION IN 2015

33 BLUFFLANDS PROTECTION PROGRAM AND REVOLVING FUND

34 Sec. 43. Section 161A.80, subsection 2, paragraphs
35 a and b, Code 2015, are amended by striking the
36 paragraphs.

37 Sec. 44. Section 161A.80, Code 2015, is amended by
38 adding the following new subsection:

39 NEW SUBSECTION. 3. This section is repealed on
40 July 1, 2025.

41 Sec. 45. NEW SECTION. 161A.80A Outstanding
42 bluffland protection loans.

43 1. The principal and interest from any blufflands
44 protection loan made pursuant to section 161A.80
45 remaining outstanding on July 1, 2025, that would have
46 been payable to the blufflands protection revolving
47 fund created in section 161A.80, shall instead be paid
48 to the division on or after July 1, 2015, pursuant to
49 the terms of the loan agreement. The moneys paid to
50 the division shall be credited to the rebuild Iowa

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1 infrastructure fund created in section 8.57.

2 2. This section is repealed on July 1, 2030.>

3 2. By renumbering as necessary.

COMMITTEE ON APPROPRIATIONS

SODERBERG of Plymouth, Chairperson

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